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MAY 2, 1985 SPECIAL MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 512, Hall of Justice, 850 Bryant Street, on Thursday, May 2, 1985, at 1700 hours in a Special Meeting in Closed Session.

PRESENT: Commissioners Daly, Toler, Hsieh, Nelder, Sanchez

Commissioner Sanchez presiding.

1. Attorney-Client Conference

2. Real Estate Proposal

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May 2, 1985 REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Thursday, May 2, 1985, at 1730 hours in a Regular Meeting.

PRESENT: Commissioners Daly, Toler, Hsieh, Nelder, Sanchez

Commissioner Sanchez presiding.

APPROVAL OF MINUTES OF THE MEETING OF MARCH 28, 1985

Approval of minutes of the meeting of March 28, 1985. The Commissioners having received, amended and returned copies of same.

APPROVAL OF CONSENT CALENDAR

Recommendation of the City Attorney for settlement of the following claims against the City and County of San Francisco:

RESOLUTION NO. 518-85

CHARLES WHITMORE vs. SAN FRANCISCO OF CITY & COUNTY

RESOLVED, that the recommendation of the City Attorney for settlement of litigation of Charles Whitmore in the sum of $2,500.00 in San Francisco Superior Court No. 812-198 entitled "Charles Whitmore vs. City and County of San Francisco, et al" as the result of damages be, and the same is hereby approved.

Date of Incident: November 27, 1982

AYES: Commissioners Daly, Toler, Nelder, Hsieh, Sanchez

RESOLUTION NO. 519-85

ALLSTATE INSURANCE CO. (WILLIE R. QUARELS)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Allstate Insurance Company (Willie R. Quarels) in the sum of $1,858.00 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: June 28, 1984

AYES: Commissioners Daly, Toler, Nelder, Hsieh, Sanchez

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RESOLUTION NO. 520-85

WENDY GAINES

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Wendy Gaines in the sum of $581.84 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: November 17, 1984

AYES: Commissioners Daly, Toler, Nelder, Hsieh, Sanchez

RESOLUTION NO. 521-85

ANTHONY J. FOTINOS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Anthony J. Fotinos in the sum of $549.56 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: May 31, 1984

AYES: Commissioners Daly, Toler, Nelder, Hsieh, Sanchez

RESOLUTION NO. 522-85

TRANSAMERICA INSURANCE (CHOY YIN)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Transamerica Insurance (Choy Yin) in the sum of $514.05 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: January 5, 1985

AYES: Commissioners Daly, Toler, Nelder, Hsieh, Sanchez

RESOLUTION NO. 523-85

JACK GEANACOS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Jack Geanacos in the sum of $15.00 as the result of lost property, be, and the same is hereby approved.

Date of Incident: April 28, 1983

AYES: Commissioners Daly, Toler, Nelder, Hsieh, Sanchez

RESOLUTION NO. 524-86

RECOMMENDATION OF THE DIRECTOR, OFFICE OF CITIZENS COMPLAINTS (OCC), THAT INVESTIGATORS LARRY SHOCKEY, JOSE GUERRERO AND JOAN KUBOTA, BE AUTHORIZED TO ATTEND THE INTERNAL AFFAIRS SEMINAR IN LONG BEACH, CALIFORNIA FROM MAY 17, 1985

RESOLVED, that the recommendation of the Director, Office of Citizen Complaints, that Investigators Larry Shockey, Jose Guerrero, and Joan Kubota, Office of Citizens Complaints, be authorized to attend the Internal Affairs Seminar conducted by the Center for Criminal Justice Research and Training in Long Beach, California, from May 15 to May ~~17, 1985~~, is hereby approved; and be it further

RESOLUTION NO. 525-85

RECOMMENDATION OF THE CHIEF THAT OFFICERS MICHAEL TRAVIS AND EDWARD DULLEA, TACTICAL DIVISION/EXPLOSIVE ORDNANCE DISPOSAL, AND SERGEANT ROBERT HULSEY, INTELLIGENCE DIVISION BE AUTHORIZED TO ATTEND THE INTERNATIONAL ASSOCIATION OF BOMB TECHNICIANS I.A.B.T.I. IN RENO, NEVADA FROM MAY 19 TO MAY 24, 1985

RESOLVED, that the recommendation of the Chief of Police that Sergeant Robert Hulsey, Intelligence Division, Officers Michael Travis and Edward Dullea, Tactical Division/Explosive Ordnance Disposal, be authorized to attend the International Association of Bomb Technicians and Investigators Training Seminar conducted by International Association of Bomb Technicians and Investigators in Reno, Nevada from May 19 to May 24, 1985.

RESOLVED, that expenses in the amount of $677.65 each for Officers Michael Travis and Edward Dullea for registration, travel and subsistence will be defrayed by the Department Training Fund.

AYES: Commissioners Daly, Toler, Nelder, Hsieh, Sanchez

RESOLUTION NO. 511-85

RECOMMENDATION OF THE CHIEF THAT OFFICERS RAYMOND KOENIG AND JOSEPH DERENZI, TRAFFIC ENFORCEMENT AND INVESTIGATION, BE AUTHORIZED TO ATTEND THE MOTORCYCLE TRAINING COURSE IN BRYTHE, CA FROM MAY 5 TO MAY 16, 1985

RESOLVED, that the recommendation of the Chief of Police that Officers Raymond Koenig and Joseph Derenzi, Traffic Enforcement and Investigation, be authorized to attend the Motorcycle Training Course conducted by the California Highway Patrol in Bryte, California from May 5 to May 16, 1985, is hereby approved; and be it further

RESOLVED, that expenses in the amount not to exceed $1,339.00 each for tuition, subsistence and travel will be reimbursed by P.O.S.T.

AYES: Commissioners Daly, Toler, Hsieh, Nelder, Sanchez

RESOLUTION NO. 526-85

APPROVAL OF TRAVELING EXPENSE VOUCHERS IN THE AMOUNT OF $949.20 SUBMITTED BY OFFICERS RICHARD BARBER AND OFFICER GEORGE STASKO, FOR EXPENSES INCURRED IN ATTENDING THE POLICE FIREARMS INSTRUCTOR COURSE IN EUREKA, FROM MARCH 25, 1985 TO APRIL 5, 1985.

RESOLVED, that the Traveling Expense Vouchers submitted by the following named members of the Police Department for expenses incurred in attending the below indicated program, be, and the same are hereby approved.

Officer Richard Barber	(Police Firearms Instructors
Officer George Stasko	(Eureka, California
	(3/25/85 - 4/5/85
	($949.20 each

AYES: Commissioners Daly, Toler, Hsieh, Nelder, Sanchez

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RESOLUTION NO. 527-85

APPROVAL OF TRAVELING EXPENSE VOUCHER IN THE AMOUNT OF $1,123.00 SUBMITTED BY CRIMINALIST DANIEL LEE FOR EXPENSES INCURRED IN ATTENDING THE SX OPERATIONS/APRIL 8, 1985 TO APRIL 12, 1985.

RESOLVED, that the Traveling Expense Voucher submitted by the following named member of the Police Department for expenses incurred in attending the below indicated program, be, and the same is hereby approved.

Criminalist Daniel Lee	(SX Operations/Applications (Training (Madison, Wisconsin (4/8/85 - 4/12/86 ($1,123.00

AYES: Commissioners Daly, Toler, Hsieh, Nelder, Sanchez

RESOLUTION NO. 528-85

APPROVAL OF TRAVELING EXPENSE VOUCHERS SUBMITTED BY INVESTIGATOR MICHELE GILMER AND SENIOR INVESTIGATOR DAN SILVA, IN THE AMOUNT OF $552.25 EACH FOR EXPENSES INCURRED IN ATTENDING THE INTERNAL AFFAIRS SEMINAR IN LONG BEACH, FROM MARCH 20, 1985 TO MARCH 22, 1985

RESOLVED, that the Traveling Expense Vouchers submitted by the following named members of The Police Department for expenses incurred in attending the below indicated program, be, and the same is hereby approved.

Senior Investigator Dan Silva Investigator Michele Gilmer	(Internal Affairs Seminar (Long Beach, California (3/20/85 - 3/22/85 ($552.25 each

RESOLUTION NO. 529-85

APPROVAL OF TRAVELING EXPENSE VOUCHER SUBMITTED BY ATTORNEY REA PUCCINELLI, LEGAL OFFICE, IN THE AMOUNT OF $75.00 FOR EXPENSES INCURRED IN ATTENDING THE DISCOVERY IN THE CALIFORNIA COURTS, SAN FRANCISCO ON MARCH 30, 1985.

RESOLVED, that the Traveling Expense Voucher submitted by the following named member of The Police Department for expenses incurred in attending the below indicated program, be, and the same is hereby approved.

Rea E. Puccinelli, Attorney	(Discovery in the (California Courts (3/30/85 ($75.00

RESOLUTION NO. 530-85

APPROVAL OF TRAVELING EXPENSE VOUCHERS SUBMITTED BY CAPTAIN PAUL KOTTA, AND SERGEANT DENNIS GUSTAFSON, JUVENILE DIVISION, IN THE AMOUNT OF $185.00 EACH FOR EXPENSES INCURRED IN ATTENDING THE GOVENOR'S TRAINING CONFERENCE ON CRIME VICTIMS, IN SACRAMENTO FROM APRIL 8, 1985 TO APRIL 10, 1985.

RESOLVED, THAT The Traveling Expense Vouchers submitted by the following named members of The Police Department for expenses incurred in attending the below indicated program, be, and the same are hereby approved.

Captain Paul Kotta (Governor's Training
Sergeant Dennis Gustafson (Conference on Crime
(Victims Sacramento,
(California
(4/8/85 - 4/10/85
($285.65 each

POLICE COMMISSION REPORT

Commissioner Sanchez announced that The Police Commission had met in closed session and no vote was taken. He then mentioned that he had asked The Department to proceed with a complete investigation pertaining to the discharge of weapon by one of our Officers in the shooting of a young boy this past weekend. He said after the District Attorney's investigation is completed along with the Department's, The Commission will then make a formal statement.

CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Murphy gave The Commissioners a detailed explanation as to how the new Personal Improvement Program (PIP) booklet would work. He said it starts out with personal data on the Officer, and then it goes to assignments and details then to the number of complaints lodged against the Officer noting trends and provides for counseling by the Sergeants and follow-up by the Lieutenants and Captains. He went on to say that it also has provisions for dealing with violations of Department Rules. He continued by saying that also available in the booklet is a section dealing with sick leave record and failure to appear in court. He named a number of other factors that are included in the booklet and said that all of the Sergeants in the Patrol Force have been trained in the program and it has been well received. He said he felt there will be a positive change in The Department as a result of this program.

POLICE COMMISSION DISCUSSION ON A MOTION TO CHANGE INVESTIGATIVE HEARING RULES OF THE OFFICE OF CITIZEN COMPLAINTS PER ORDER OF JUDGE ROY WONDER, SUPERIOR COURT, CITY AND COUNTY OF SAN FRANCISCO

Mr. Dan Silva, assistant to The Director of Office Of Citizens Complaints (OCC) and Mr. Frank Schober said they had met with the San Francisco Police Officer Association this morning in what was considered a very productive meeting. He said the City Attorney is waiting for the Police Officers Association's written concerns and once received he will deliver to The Commission prior to The Commission's next meeting the revised (OCC) Hearing Rules for The Commission's review.

Commissioner Hsieh then moved that the matter be continued for one week, it was seconded by Commissioner Toler and unanimously approved.

RECOMMENDATION OF THE AWARDS COMMITTEE

Commissioner Nelder who was The Chairman of The Committee said the awards meeting was held last Friday Morning and as always the Captains and Deputy Chiefs who were present did an outstanding job as they always do.

He said however since the matter was submitted last Friday there were two cases that really caused him a great deal of concern. He said the first one that he would like to bring to The Commission's attention is the actions of Officer Kim Hennessy which occurred on July 29, 1984 at 2110 hours. He then read her Commanding Officer's request for her to be considered for a Medal of Valor. Afterwards he said Officer Hennessy as stated in the report was shot in the leg and was off for six months thereafter. He said the matter was then heard in court and Officer Hennessy's testimony resulted in a conviction of the accused. He continued by saying the reason this matter is being brought before The Commission tonight is because Officer Hennessy was awarded a Bronze Medal of Valor and he said there is a question in his mind as to whether or not this should be considered a Gold Medal of Valor. He then had Lieutenant Frazier, Secretary to The Commission read the qualifications for a Gold Medal. After listening to the requirements for a Gold Medal of Valor, Commissioner Nelder said he felt the Actions taken by Officer Hennessey met all of these requirements. He said he sincerely feels that this case really qualifies for a Gold Medal of Valor. He said he would make a motion at this time to Award Officer Hennessey a Gold Medal of Valor. Commissioner Daly seconded and it was unanimously approved.

Commissioner Nelder then said he would like Officer Joe Williams to step forward. He said in Officer Williams case he was granted a Bronze Medal of Valor. The Commissioner then read Officer Williams application. Thereafter Commissioner Nelder said plainly Officer Williams award should be moved upwards to a Silver Medal of Valor as he had captured an armed suspect who had already fired his weapon and was threatening may othere people when captured by Officer Williams.

Commissioner Nelder then moved that Officer Williams award be upgraded from a Bronze Medal of Valor to a Silver Medal of Valor. It was seconded by Commissioner Toler and unanimously approved.

Commissioner Nelder then said with those recommendations that have been approved he would now make a motion for approval of the remaining list of awards and a day set aside for presentation of those awards to the within named individuals. Commissioner Toler seconded and it was unanimously approved.

The date of May 30th was set for the presentation.

RESOLUTION NO. 501-85

RECOMMENDATIONS OF THE AWARDS COMMITTEE - APPROVED

RESOLVED, that the following named members of The Police Department, be, and they are hereby granted Awards of Valor - Gold, Silver, Bronze, Meritorious Conduct Award, under the provisions of General Order O-5, Sections 1-A and 1-C of the San Francisco Police Department, as approved by the Awards Committee on Friday, April 26, 1985.

*Kim M. Hennessy	Gold Medal of Valor
Sherman L. Ackerson	Gold Medal of Valor
Vincent C. Neeson	Gold Medal of Valor
*Joe E. Williams	Silver Medal of Valor
Bruce D. Lovell	Bronze Medal of Valor
Richard T. Andrews	Bronze Medal of Valor
Barry R. Weaver	Bronze Medal of Valor
Donald R. Read	Bronze Medal of Valor
Edward J. Wynkoop	Bronze Medal of Valor
Richard P. Janese	Bronze Medal of Valor
Michael D. Becker	Bronze Medal of Valor
Jeremy Zatkin	Bronze Medal of Valor
Kenneth T. Sugrue	Bronze Medal of Valor
David M. Seid	Bronze Medal of Valor
George A. Lozano	Bronze Medal of Valor
Louis K. Espinda	Meritorious Conduct Award
Eric B. Quema	Meritorious Conduct Award
Alban L. Weatherman	Meritorious Conduct Award
Edmond E. Paache	Meritorious Conduct Award
David Roccaforte	Meritorious Conduct Award
John C. Payne	Meritorious Conduct Award
Peter J. Siragusa	Meritorious Conduct Award
Calvin L. Nutting	Meritorious Conduct Award
Paul W. Ryan	Meritorious Conduct Award
Inocente Cisneros	Meritorious Conduct Award
Stephen A. Tacchini	Meritorious Conduct Award
Dennis A. maffei	Meritorious Conduct Award

*Officer Kim Hennessy's Award was up-graded from a Bronze Medal of Valor to a Gold Medal of Valor and Officer Joe E. Williams' Award was up-graded from a Bronze Medal of Valor to a Silver Medal of Valor upon recommendation by Commissioner Alfred Nelder and the unanimous vote of The Police Commission.
AYES: Commissioners Daly, Toler, Nelder, Hsieh, Sanchez

REQUEST OF THE CHIEF OF POLICE FOR A SUPPLEMENTAL APPROPRIATION AMOUNTING TO $1,000,000 FOR A PERMANENT SALARIES - UNIFORM AND $100,000 FOR MANDATORY FRINGE BENEFITS

RESOLUTION NO. 507-85

RESOLVED, that The Police Commission hereby approves a supplemental appropriation request amounting to $1,000,000. This request will provide for an additional $400,000 for Permanent Salaries - Uniforn, and $1,00,000 for Mandator Fringe Benefits. The funding will be "an legally available funds."

AYES: Commissioners Daly, Toler, Hsieh, Nelder, Sancehz

RESOLUTION NO. 506-85

NOTIFICATION AND FILING OF CHARGES AGAINST POLICE OFFICER JOSEPH J. ROBLES, GOLDEN GATE DIVISION/POTRERO STATION (Legal File No. C45-169-MEG)

WHEREAS, Charges of violating the Rules and Procedures of the San Francisco Police Department were filed against Police Officer Joseph Robles, as follows:

SPECIFICATION NO. 1

Engaging conduct which tends to subvert the good order, efficiency or discipline of the Department or which reflects discredit upon the Department (violation of Rule A-9 of General Order D-1 of the San Francisco Police Department).

by Cornelius P. Murphy, Chief of Police of the San Francisco Police Department; therefore be it

RESOLVED, that the date for the setting of the date for the hearing of the disciplinary charges filed against Police Officer Joseph Robles, Potrero Station, is set for Thursday, May 9, 1985 at 1730 hours in Room 551, Hall of Justice.

AYES: Commissioners Daly, Toler, Hsieh, Nelder, Sanchez

RESOLUTION NO. 509-85

SETTING OF DATE FOR HEARING OF POLICE OFFICER MICHAEL KENNY, VICE CRIMES DIVISION/NARCOTICS

WHEREAS, the date to be set for the hearing of the disciplinary charges filed against Police Officer Michael Kenny, Vice Crimes Division/Narcotics, was called it having been set for this date; and

WHEREAS, it was requested by Mr. Jerry W. Akins, Attorney at Law, representing the San Francisco Police Department, that the date for the hearing before The Police Commission be set for June 20, 1985; therefore be it

RESOLVED, that the hearing of the disciplinary charges filed against Police Officer Michael Kenny, Vice Crimes Division/Narcotics, is set for Thursday, June 20, 1985 at 1730 hours in Room 551, Hall of Justice.

AYES: Commissioners Daly, Toler, Hsieh, Nelder, Sanchez

RESOLUTION NO. 508-85

SETTING OF DATE FOR HEARING OF OFFICER KENNETH H. FOSTER, PATROL BUREAU TASK FORCE

WHEREAS, the date to be set for the hearing of the disciplinary charges filed against Police Officer Kenneth Foster, Patrol Bureau Task Force, was called it having been set for this date; and

WHEREAS, it was requested by Mr. Jerry W. Akins, Attorney at Law, representing the San Francisco Police Department, that the date for the hearing before The Police Commission be set for June 20, 1985; therefore be it

RESOLVED, that the hearing of the disciplinary charges filed against Police Officer Kenneth Foster, Patrol Bureau Task Force, is set for Thursday, June 20, 1985 at 1730 hours in Room 551, Hall of Justice.

AYES: Commissioners Daly, Toler, Hsieh, Nelder, Sanchez

RESOLUTION NO. 503-85

REQUEST OF OFFICER STEVEN STOCKER, CENTRAL STATION, TO ACCEPT A REWARD OF $75.00 FOR THE APPREHENSION OF A MILITARY DESERTER

RESOLVED, that the request of Police Officer Steven Stocker, Central Station, to accept a gift in the amount of $75.00 for the apprehension of Military Deserter Kenneth Lobb, be, and the same is hereby approved.

AYES: Commissioners Daly, Toler, Hsieh, Nelder, Sanchez

REQUEST OF INSPECTOR JAMES J. CROWLEY, PRESIDENT OF THE SAN FRANCISCO CHAPTER FELLOWHIP OF CHRISTIAN PEACE OFFICERS', THAT PASTOR MIKE RYAN BE APPOINTED AS A SAN FRANCISCO POLICE DEPARTMENT CHAPLAIN.

Continued to Police Commission Meeting of May 9, 1985.

REPORT ON PSYCHOLOGICAL TESTING BY DR. MICHAEL ROBERTS

Dr. Roberts said he realized The Commission had just received the written report he submitted and therefore would give The Commission a brief verbal report. He said basically he had intended to submit to The Commission tonight the summary of the impact of whether there is any adverse impact against other group or whether there is any difference between men or women. He said the overall impact of letter graded ratings, ABCD & F ratings, on ethnic groups shows no adverse impact what so ever against any particular ethnic group. He said the category F has been only represented so far by two people and they were both white males. He said the Department's position at this time is to only reject those people for employment on a psycholigical basis if they are in category F. He said the experience so far in San Francisco with the number of people quite small, about 82, who have gone through both of the employment hurdles so far, i.e. entrance, academy and Field Training Office, and firm conclusions can not be drawn at this point. He said the trend is exactly as it has been seen in other agencies.

He continued by saying that except of course that D rated people are succeeding in only about half of the cases in getting through the Academy and Field Training Program without problems. He said other agencies experience is that even the people that get through the Academy and Field Training Program are still failing in category D in an unusually higher rates after they pass their probationary period and are out on the streets. However, he said, he is somewhat cautious as to recommending non-acceptance of the D category for Police work. He said even when it is done in other agencies he likes to review the constraints that are viewed by the Department, as it is very helpful to have them make the decision that either there is no problem in the background, no polygraph problems at all and it is only the D rating against them, then hire them anyway and give them a chance. He said he felt that to eliminate them at this time would be a mistake. He said if the data keeps going the way it is then a move should be made to eliminate them.

Commissioner Sanchez said he felt the administration needed to consider a multitude of instruments to insure that the Department is maintaining the highest quality regarding this selection process which hopefully will be proven to be successful in the next year or two.

RECOMMENDATION OF THE CHIEF OF POLICE THAT THE POLICE COMMISSION APPROVE THE REQUEST OF MR. CORNELIUS F. THOMAS TO SUSPEND THE OPERATION OF HIS TAXICAB PERMIT FROM MARCH 26, 1985 TO APRIL 23, 1985

RESOLUTION NO. 504-85

WHEREAS, Mr. Cornelius Thomas has requested that permission be granted to suspend operation of his motor vehicle for hire permit from March 26, 1985 to June 23, 1985; and

WHEREAS, Mr. Thomas did not appear in person and was not represented by counsel; therefore be it

RESOLVED, that it is the Order of The Police Commission that the request of Mr. Cornelius Thomas for permission to suspend operation of his motor vehicle for hire permit from March 26, 1985 to June 23, 1985, be, and the same is hereby approved.

AYES: Commissioners Daly, Toler, Hsieh, Nelder, Sanchez

After approval of this item Commissioner Sanchez said that The Commission would like to receive an update in the next few weeks of The Department's enforcement parameters regarding both the old and the new taxi cab rules and regulations pertaining especially to those areas where The Commission requested 24 hour radio service. He said there has been a number of inferences where it is alleged that a number of taxis are restructuring and are going from just the Hotels downtown and to the airport and neglecting a number of residential areas, which has always been a priority of The Commission pertaining to the totality of taxicab service. However, allegedly it appears to be of least priority to the operators. He said he would hope that the Department could present The Commission with both a Staffing report and what in fact it has done to enforce The Commission's rules and regulations on taxis to see that this very important service is readily available for all residents of San Francisco in particular those areas such as the Mission, Bayview-Hunterspoint out in the Sunset and outlying areas.

RECOMMENDATION OF PATROL SPECIAL BEATS NO. 43, AND 79 BE TRANSFERRED FROM MR. ROBERT A RICH TO PATROL SPECIAL OFFICER WILLIAM G. CAVE

Continued until next week.

PUBLIC HEARING ON DEPARTMENT GENERAL ORDER NO. I-16 "MENTALLY DISTURBED INDIVIDUALS"

RESOLUTION NO. 505-85

DEPARTMENT GENERAL ORDER T-1, "MENTALLY DISTRUBED INDIVIDUALS"

Officer Woody Tennant addressed The Commission on this matter and said that since the last meeting he had contacted a number of people who were involved initially in the draft of the order and also working with those people and as a result of that finding there are no complaints either by the Aids Foundation or the Community Mental Health Service about any actions between the patients and the police.

Also addressing The Commission on the subject was Dr. George Peterson, Associate Administrator for Mental Health Services. The Commissioners then thanked the speakers and adopted the following resolution.

RESOLUTION 505-85

DEPARTMENT GENERAL ORDER T-1, "MENTALLY DISTURBED INDIVIDUALS"

RESOLVED, that The Police Commission hereby approves Department General Order T-1, "Mentally Disturbed Individuals"

AYES: Commissioners Daly, Toler, Hsieh, Nelder, Sanchez

Prior to going to item #17 Commissioner Sanchez said that he had failed to mention that The Commission had directed the Legal Department to proceed with an informal investigation to be submitted back to The Police Commission by next Wednesday pertaining to a number of issues regarding the Office Of Citizens Complaints and some alleged allegations from Staff. He continued by saying that because in fact this is a personnel matter The Commission has directed the Legal Department to proceed with a disciplinary investigation and The Commission will calendar a Closed Session a week from today at 1630 hours to discuss that matter.

HEARING ON THE DISCIPLINARY CHARGES FILED AGAINST POLICE SERGEANT GREGORY G. CLONEY, INGLESIDE STATION

RESOLUTION NO. 510-85

HEARING OF POLICE SERGEANT GREGORY G. CLONEY, INGLESIDE STATION

The hearing of Sergeant Gregory Cloney, Ingleside Station, was called it having been set for this date. Sergeant Cloney was charged with violating the Rules and Procedures as follows

CHARGE NO. 1

Failure to report for duty at the time and place assigned (violation of Rule A-4 of General Order D-1 of the San Francisco Police Department);

CHARGE NO. 2

Failure to obey lawful orders of a superior (violation of Rule A-11 General Order D-1 of the San Francisco Police Department);

CHARGE NO. 3

Failure to report for duty at the time and place assigned and failing to obey a lawful order of a superior which subverts the efficiency, good order, and discipline of the Department (violation of Rule A-9 of General Order D-1 of the San Francisco Police Department).

in a properly verified complaint by Cornelius P. Murphy, Chief of Police of the San Francisco Police Department.

Police Sergeant Gregory Cloney appeared in person and was represented by Mr. Casimir Wilson, Attorney at Law.

Mr. Jerry Akins, Attorney at Law, appeared as Prosecutor for the San Francisco Police Department.

An opening statement was made by Attorney Jerry Akins for the Prosecution.

An opening statement was made by Attorney Casimir Wilson for the Defense.

The Charges against Sergeant Gregory Cloney were then read into the record.

The following named witnesses were called by the Prosecution were sworn and testified:

Lieutenant Howard Kyle	Ingleside Station
Lieutenant David Christensen	Ingleside Station
Captain Michael Lennon, Jr.	Ingleside Station

The following named witness was called by the Defense, was sworn and testified:

Sergeant Gregory Cloney	Ingleside Station

The following exhibits were entered into evidence by the Prosecution:

Exhibit #1	Letter dated 11/16/84 from Chief of Police to Sergeant Gregory Cloney, regarding Sick-Certificate.
Exhibit #2	Ingleside Station's General Order (83-4) Absence From Duty - 06/10/83
Exhibit #3	Chief's Notice, dated 11/20/84 to Sergeant Gregory Cloney "Intention of Imposition of Disciplinary Suspension"
Exhibit #4	Sergeant Gregory Cloney's Letter to Chief Murphy dated 11/26/84 regarding Request for Hearing
Exhibit #5	Intra-Departmental Memorandum dated 12/11/84, from Sergeant Gregory Cloney to Lieutenant Alex Stevens/Legal Office, regarding Withdrawal of Appeal
Exhibit #6	Letter dated 12/13/84 from Chief of Police to Sergeant Gregory Cloney regarding Three (3) Day Chief's Suspension.

After listening to testimony from the above parties, The Commission took the matter under submission, recessed and returned finding that the Charge No. 1, No. 2 and Charge No. 3 are sustained.

Based on those findings, The Commission requested a recommendation from Chief of Police Cornelius P. Murphy. It is the recommendation of the Chief of Police that Police Sergeant Gregory Cloney be terminated. Said termination to be held in abeyance for three years provided that a program and that 30 days suspension be imposed.

The Police Commission again took the matter under submission recessed and returned and ordered Sergeant Gregory Cloney to take a complete medical examination and appear before The Commission again on Thursday, May 9, 1985, in preparation to receive a Police Commission Penalty.

The meeting was then adjourned at 10:30 p.m. and the Hearing was continued to Thursday, May 9, 1985 at 1730 Hours in Room 551, Hall of Justice.

AYES: Commissioners Daly, Toler, Hsieh, Nelder, Sanchez

THE MEETING WAS THEREFORE ADJOURNED AT 10:30 P.M.

LIEUTENANT WILLIE E. FRAZIER
SECRETARY
THE POLICE COMMISSION

MAY 9, 1985 SPECIAL MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 512, Hall of Justice, 850 Bryant Street, on Thursday, May 9, 1985 at 1700 hours in a Special Meeting in Closed Session.

PRESENT: Commissioners Daly, Hsieh, Nelder, Sanchez
ABSENT: Commissioner Toler

Commissioner Sanchez presiding..

1. Attorney-Client Conference

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MAY 9, 1985 REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chamber, Room 551, Hall of Justice, 850 Bryant Street, on Thursday, May 9, 1985 at 1730 hours in a Regular Meeting

PRESENT: Commissioners Daly, Hsieh, Nelder, Sanchez
ABSENT: Commissioner Toler

APPROVAL OF MINUTES OF THE MEETING OF APRIL 4, 1985

Approval of minutes of the meeting of April 4, 1985. The Commissioners having received, amended and returned copies same.

APPROVAL OF CONSENT CALENDAR

Recommendation of the City Attorney for settlement of the following claims against the City and County of San Francisco.

RESOLUTION NO. 554-85

ROBERT AGNE vs. OFFICE OF CITIZEN COMPLAINTS

RESOLVED, that the claim filed by Robert Agne vs. personnel of the Office of Citizen Complaints in the sum of $5,000.00 is hereby designated to be investigated by the San Francisco Police Department's Legal Division.

AYES: Commissioners Daly, Hsieh, Nelder, Sanchez
ABSENT: Commissioner Toler

RESOLUTION NO. 537-85

AUTHORIZING ATTENDANCE OF INSPCTOR DAVID KELLOG, INTELLIGENCE DIVISION TO ATTEND THE LABOR RELATIONS SEMINAR IN ON 05/03/85, IN VENTURA, CALIFORNIA

RESOLVED, that the recommendation of the Chief of Police that Inspector David Kellog, Intelligence Division, be authorized to attend the Labor Relations Seminar, conducted by the California Association of Labor in Ventura, California on May 3, 1985, be and the same is hereby approved; and be it further

RESOLVED, that expenses in the amount of $180.00 for tuition, subsistence, and membership fee will be defrayed by the Department's Training Fund.

AYES: Commissioners Daly, Hsieh, Nelder, Sanchez
ABSENT: Commissioner Toler

RESOLUTION NO. 538-85

AUTHORIZING ATTENDANCE OF INSPECTOR FREDERICK GROVEN, INVESTIGATIONS BUREAU/FRAUD DETAIL, AT THE ECONOMICS CRIME INVESTIGATION COURSE IN SACRAMENTO, CA FROM 5/20/85 TO 5/24/85

RESOLVED, that the recommendation of the Chief of Police that Inspector Frederick Groven, Fraud Detail, be authorized to attend the Economics Crime Investigation Course conducted by the California Department of Justice in Sacramento, California from May 20, 1985 to May 24, 1985, be, and the same is hereby approved; and be it further

Expenses in the amount of $349.65 for subistence and travel will be reimbursed by P.O.S.T.

AYES: Commissioners Daly, Hsieh, Nelder, Sanchez
ABSENT: Commissioner Toler

RESOLUTION NO. 539-85

AUTHORIZING ATTENDANCE OF INSPECTOR DONALD CARLSON, TRAINING SECTION, AND EIGHTEEN (18) OTHER LIEUTENANTS AT THE MIDDLE MANAGEMENT TRAINING COURSE IN SAN JOSE FROM MAY 13, 1985 TO MAY 24, 1985

RESOLVED, that the recommendation of the Chief of Police that Lieutenant Donald Carlson, Training Section, and Eighteen (18) Other Lieutenant, be authorized to attend the Middle Management Training Course conducted by the California State University, San Jose, from May 13, 1985 to May 24, 1985, be, and the same is hereby approved; and be it further

RESOLVED, that expenses for subsistence and travel will not exceed $13,000.00. Susbistence, travel and sixty percent of the members salary will be reimbursed by P.O.S.T.

AYES: Commissioners Daly, Hsieh, Nelder, Sanchez
ABSENT: Commissioner Toler

RESOLUTION NO. 540-85

AUTHORIZING ATTENDANCE OF INSPECTOR DOUGLAS RAMSEY, ARSON TASK FORCE, AT THE FIRE/ARSON INVESTIGATION COURSE IN EMMITSBURG, MARYLAND, FROM 05/13/85 TO 05/24/85

RESOLVED, that the recommendation of the Chief of Police that Inspector Douglas Ramsey, Arson Task Force, be authorized to attend the Fire/Arson Investigation Course in Emmitsburg, Maryland, from May 13, 1985 to May 24, 1985, be, and the same is hereby approved; and be it further

RESOVED, that expenses in the amount of $132.00 for meals will be defrayed by the Department's Training Fund. All other costs will be paid by the National Emergency Training Center.

AYES: Commissioners Daly, Hsieh, Nelder, Sanchez
ABSENT: Commissioner Toler

RESOLUTION NO. 541-85

TRAVELING EXPENSE VOUCHER - APPROVED

RESOLVED, that the Traveling Expense Voucher submitted by the following named member of The Police Department for expenses incurred in attending the below indicated program, be, and the same is hereby approved.

Lieutenant Donald P. Carlson (Basic Director's Workshop
(Pomona, California
(4/22/85 - 4/26/85
($471.25

AYES: Commissioners Daly, Hsieh, Nelder, Sanchez
ABSENT: Commissioner Toler

POLICE COMMISSION REPORT

No report.

CHIEF'S REPORT TO THE POLICE COMMISSION

No report.

PUBLIC HEARING ON A MOTION TO CHANGE INVESTIGATIVE HEARING RULES OF THE OFFICE OF CITIZEN COMPLAINTS PER ORDER OF JUDGE ROY WONDER, SUPERIOR COURT, CITY AND COUNTY OF SAN FRANCISCO

Testimony was received from the following named individuals as to the legality and effect on the San Francisco Police Department and Citizens of San Francisco if the motion is formerly adopted by The Police Commission.

1. Tom Owens Deputy City Attorney
2. Bob Barry President San Francisco Police Officers Association
3. Dave Chisham Attorney for San Francisco Police Officers Assosication
4. Amatiai Schartz
5. Peter Mezey President Bar Association

After listening to testimony of the above parties Commissioner Hsieh moved for adoption of judges motion of Office Of Citizen Complaints Hearing Rules.

Commissioner Nelder seconded.and it was unanimously approved.

AYES: Commissioners Daly, Nelder, Hsieh, Sanchez

RESOLUTION NO. 555-85

INVESTIGATIVE HEARING RULES OF THE OFFICE OF CITIZEN COMPLAINTS

RESOLVED, that the motion of Judge Roy Wonder, Superior court, City and County of San Francisco, to change Investigative Hearing Rules of the Office of Citizen Complaints ; be and the same is hereby approved; and be it further.

RESOLVED, that said changes as outlined in Judge Wonder's motion shall be incorporated in the Hearing Rules of the Office of Citizen Complaints.

AYES: ~~Commissioners Daly, Nelder, Heieh,~~ Sanchez
ABSENT: Commissioner Toler

STATUS REPORT ON THE SAN FRANCISCO POLICE DEPARTMENT'S PHYSICAL FITNESS PROGRAM

Continued one week.

PUBLIC HEARING ON DEPARTMENT GENERAL ORDER NO. R-1, "ACCIDENTS INVOLVING MEMBERS", "ACCIDENT BOARD OF REVIEW", "DABOR"

Continued one week.

PUBLIC HEARING ON DEPARTMENT GENERAL ORDER NO. R-1, "SECONDARY EMPLOYMENT"

Continued two weeks.

RECOMMENDATION OF THE CHIEF OF POLICE THAT PATROL SPECIAL BEATS NO. 43 and 79, BE TRANSFERRED FROM MRS. ROBERT A. RICH TO PATROL SPECIAL OFFICER WILLIAM G. CAVE; AND PATROL SPECIAL BEAT NO. 51 FROM PATROL SPECIAL OFFICER; AND PATROL SPECIAL BEAT NO. 51 FROM OFFICER CAVE TO PATROL SPECIAL OFFICER ROBERT HART

PATROL SPECIAL OFFICER WILLIAM G. CAVE - APPROVED

RESOLUTION NO. 535-85

RESOLVED, that Patrol Special Officer William G. Cave, is hereby appointed a Patrol Special Officer for Beat 43, and 79, Park Police District; said appointment effective May 9, 1985 as per agreement and contract between Patrol Special Officer William G. Cave and Mrs. Robert A. Rich.

AYES: Commissioners Daly, Hsieh, Nelder, Sanchez
ABSENT: Commissioner Toler

PATROL SPECIAL OFFICER ROBERT HART - APPROVED

RESOLUTION NO. 535-85

RESOLVED, that Patrol Special Officer Robert Hart, is hereby appointed a Patrol Special Officer for Beat 51, Park Police District; said appointment effective May 9, 1985, as per agreement and contract between Patrol Special Officer William G. Cave and Patrol Special Officer Robert Hart.

AYES: Commissioners Daly, Hsieh, Nelder, Sanchez
ABSENT: Commissioner Toler

RECOMMENDATION OF THE CHIEF OF POLICE THAT PATROL SPECIAL BEATS NO. 33 AND 34, BE TRANSFERRED FROM PATROL SPECIAL OFFICERS RALPH GREBMEIER & LINNEA GREBMEIER TO PATROL SPECIAL OFFICER ELBERT TAYLOR, RICHMOND POLICE DISTRICT

PATROL SPECIAL OFFICER ELBERT TAYLOR - APPROVED

RESOLUTION NO. 536-85

RESOLVED, that Patrol Special Officer Elbert Taylor, is hereby approinted a Patrol Special Officer for Bear 33 and 34, Richmond Police District; said appointement effective May 9, 1985, as per assgreement and contract between Patrol Special Officers Ralph & Linnea Grebmeier and Elbert Taylor.

AYES: Commissioners Daly, Hsieh, Nelder, Sanchez
ABSENT: Commissioner Toler

SETTING OF DATE FOR HEARING OF POLICE OFFICER JOSEPH J. ROBLES, POTRERO STATION

RESOLUTION NO. 532-85

WHEREAS, the date to be set for the hearing of the disciplinary charges filed against Police Officer Joseph J. Robles, Potrero Station, was called it having been set for this date; and

WHEREAS, it was requested by Mr. Michael E. Gash, Attorney at Law, representing the San Francisco Police Department, that the date for the hearing before The Police Commission be set for June 6, 1985; therefore be it

RESOLVED, that the hearing of the disciplinary charges filed against Police Officer Joseph J. Robles, Potrero Station, is set for June 6, 1985 at 1730 hours in Room 551, Hall of Justice.

AYES: Commissioners Daly, Nelder, Hsieh, Sanchez
ABSENT: Commissioner Toler

RESOLUTION NO. 531-85

HEARING OF POLICE OFFICER DENNIS H. ALVARENGA, MISSION STATION

WHEREAS, the hearing on the disciplinary charges filed against Police Officer Dennis H. Alvarenga, Mission Station, was called it having been set for this date; and

WHEREAS, it was requested by Mr. Stephen F. Whitmore, Attorney at Law, Stephen Bruce Bley, Inc. representing Officer Dennis H. Alvarenga, that the date for the setting of the date for the hearing before The Police Commission be set for Thursday, May 23, 1985 at 1730 hours in Room 551, Hall of Justice.

AYES: Commissioners Daly, Hsieh, Nelder, Sanchez
ABSENT: Commissioner Toler

RESOLUTION NO. 533-85

DECISION - HEARING OF SERGEANT GREGORY CLONEY, INGLESIDE STATION

The hearing of Sergeant Gregory Cloney, Ingleside Station, was called it having been set for this date. Sergeant Cloney was charged with violating the Rules and Procedures as follows:

CHARGE NO. 1

Failure to report for duty at the time and place assigned (violation of Rule A-4 of General Order D-1 of the San Francisco Police Department):

(1) At all times herein mentioned, Gregory G. Cloney, (hereinafter referred to as "the accused") was and is a Sergeant of Police employed by the San Francisco Police Department;

(2) As a Sergeant of Police, the accused is responsible for knowing and obeying the Rules, Orders, and Procedures of the San Francisco Police Department;

(3) The accused has been instructed in, and is aware of the Rules of the civil Service Commission for the City and County of San Francisco regarding attendance and use of sick leave;

(4) On August 2, 1984, the accused acknowledged having read and understood the contents of Ingleside Police District General Order A-1 (Control Code 83-4 hereinafter referred to as "District General Order A-1 ") which set forth procedures concerning absences from duty;

(5) On November 22, 1984, the accused acknowledged receipt of a letter from the Chief of Police which ordered the accused to obtain a doctor's certificate of illness covering the first day and each successive day the accused requested to be carried on sick leave, siad letter was occasioned by the accused's excessive use of sick leave during a ten month period;

(6) On November 26, 1984, the accused acknowledged receipt of a letter from the Chief of Police which notified the accused that the Chief of Police which notified the accused that the Chief intended to impose a suspension of three (3) days for the accused's failure to notify his commanding officer in writing of request to take compensating time off or vacation as required by San Francisco Police Department General Order D-8 and District General Order A-1;

(7) The accused requested a hearing which was scheduled for December 11, 1984 on the proposed suspension, thereafter the accused rescinded his request for a hearing on December 11, 1984, the date set for hearing;

(8) By letter dated December 13, 1984, the Chief of Police suspended the acccused for three (3) days without pay and warned the accused that further violations would result in stronger disciplinary measures;

(9) On December 5, 1984, while the above refenced hearing was pending, the accused failed to report for work at his scheduled assignment at 2200 hours;

(10) At or about 2240 hours on December 5, 1984, the Ingleside station Platoon Commander contaced the accused at his residence by telphone regarding the accused 's reason for not reporting for duty;

(11) The accused told the Platoon Comander that he was not ill but that he would not come to work;

(12) On December 14, 15, 16, 17 and 18, 1984, the accused was absent without leave and was therefore carried "O" on each of those days;

(13) By failing to report for duty at the time and place assigned, the accused engaged in conduct which violated Rule A-4 of General Order D-1 of the San Francisco Police Department which states:

"Members shall report for duty at the time and place required by assignment and shall be physically and mentally fit to perform their duties."

CHARGE NO. 2

Failure to obey lawful orders of a superior (violation of Rule A-11 of General Order D-1 of the San Francisco Police Department);

(14) At all times herein mentioned, Gregory G. Cloney (hereinafter referred to as "the accused") was and is a Sergeant of Police employed by the San Francisco Police Department assigned to the Ingleside Station;

(15) As a Sergeant of Police, the accused is responsible for knowing and obeying the Rules, Orders, and Procedures of the San Francisco Police Department;

(16) The accused has been instructed in, and is aware of the Rules of the Civil Service Commission for the City and County of San Francisco regarding attendance and use of sick leave;

(17) On August 2, 1984, the accused acknowledged having read and understood the contents of Distict General Order A-1 which set forth procedures concerning absences from duty;

(18) On December 13, 1984, the accused failed to notify the proper personnel of his own platoon that he would not report for duty the midnight watch as scheduled in violation of District General Order A-1;

(19) On December 14, 1984, the accused failed to notify the proper personnel of his own platoon that he would not report for duty on the midnight watch as scheduled in violation of District General Order A-1;

(20) By failing to obey District General Order A-1 which requires that he report any absences to his own Platoon Commander, the accused on both Commander, the accused on both December 13 and 14, 1984 engaged in conduct which violates Rule A-11 of General Order D-1 of the San Francisco Police Department, which states:

"Members shall promptly obey all lawful orders of superiors. If a member is given an order which conflicts with previous orders or with written directives, the member shall advise the superior of the conflict and proceed according to the superior's direction."

CHARGE NO. 3

Failure to report for duty at the time and place assigned and failing to obey a lawful order of a superior which subvert the efficiency, good order, and discipline of the Department (violation of Rule A-9 of General Order D-1 of the San Francisco Police Department):

(21) At all times herein mentioned, Gregory G. Cloney (hereinafter referred to as "the accused") was and is a Sergeant of Police employed by the San Francisco Police Department and assigned to Ingleside Station;

(22) As a Sergeant of Police, the accused is responsible for knowing and obeying the Rules, Orders, and Procedures of the San Francisco Police Department;

(23) The accused has been instructed in, and is aware of the Rules of the Civil Service Commission for the City and County of San Francisco regarding attendance and use of sick leave;

(24) On August 2, 1984, the accused acknowledged having read and understood the contents of District General Order A-1 which set forth procedures concerning absences from duty;

(25) The accused failed to report for duty from December 14, through 18, 1984 and from December 27 through 28, 1984 and was carried as absent without leave (referred to as "O") during those periods;

(26) Though he was the only Supervisor scheduled to work the midnight watch beginning at 2300 hours on January 20, 1985, the accused called the swing watch Platoon Commander and stated that the accused would not report for duty;

(27) Though the swing watch Platoon Commander told the accused that the accused must personally contact the midnight watch Platoon Commander, the accused failed to do so;

(28) By failing to report for duty at the time and place assigned on numerous occasions and by failing to obey and lawful orders of a superior, the accused has engaged in conduct which subverts the efficiency, good order, and discipline of the Department which constitutes a violation of Rule A-9 of General Order D-1 of the San Francisco Police Department, which states:

"Any breach of the peace, neglect of duty, misconduct or any conduct on the part of any member either within or without the state which tends to subvert the good order, efficiency or discipline of the Department or which reflects discredit upon the Department or any member thereof or that is prejudicial to the efficiency and discipline of the Department, though such offenses are not specifically defined or laid down in these Rules and Procedures, shall be considered unofficer-like conduct triable and punishable by the Board."

and

WHEREAS, a hearing on said charges was had before The Police Commission pursuant to Section 8.343 of the Charter of the City and County of San Francisco on Thursday, May 2, 1985 and Thursday, May 9, 1985, and on Thursday, May 9, 1985 the matter was submitted to The Police Commission for decision; and

WHEREAS, The Police Commission finds that the said allegations contained in Charge No, 1, violation of Rule A-4 of General Order D-1; Charge No. 2, violation of Rule A-11 of General Order D-1; and Charge No. 3, violation of Rule A-9 of General Order D-1 of the San Francisco Police Department are sustained; therefore be it

RESOLVED, that based on these findings, consistent with The Commission's duty to protect the health, safety and general welfare of the Citizens of the City and County of San Francisco and the public in general, and in order to promote efficiency and good discipline in the San Francisco Police Department, The Police Commission orders that the following discipline be imposed:

Charges No. 1, 2 & 3 [Penalty] Termination

and be it further,

RESOLVED, that said temination shall be held in abeyance as The Commission approves Sergeant Gregory Cloney's application for the Alternative to Punishment Program set forth in Rule VIII of General Order D-4, provided that Sergeant Cloney shall serve 30 calendar days suspension, commencing on Sunday, May 19, 1985 at 0001 hours to and including Monday, June 17, 1985 at 2400 hours, and shall complete the Program prescribed by the Diversion Eligibility Committee and shall comply with the Rules and Procedures of the San Francisco Police Department during the three year follow-up period.

If Sergeant Gregory Cloney successfully completes the Alternative to Punishment Program and complies with the Orders, Rules and Procedures of the San Francisco Police Department, termination shall be dismissed. If during his participation in Alternative to Punishment Program, Sergeant Cloney fails to comply with the Orders, Rules and Procedures of the San Francisco Police Department, the termination order shall be imposed.

AYES: Commissioners Daly, Hsieh, Nelder, Sanchez
ABSENT: Commissioner Toler

(The entire proceedings were taken in Shorthand Form by Ms. Linda Pransky, CSR.)

THE MEETING WAS THEN ADJOURNED

Lieutenant Willie E. Frazier
Secretary
THE POLICE COMMISSION

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MAY 16, 1985 SPECIAL MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 512, Hall of Justice, 850 Bryant Street, on Thursday, May 16, 1985 at 1700 hours in a Special Meeting in Closed Session.

PRESENT: Commissioners Daly, Toler, Hsieh, Nelder, Sanchez

Commissioner Sanchez presiding.

1. Attorney-Client Conference

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MAY 16, 1985 REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Thursday, May 16, 1985 at 1730 hours in a Regular Meeting.

APPROVAL OF MINUTES OF THE MEETING OF APRIL 11, 1985

Approval of minutes of the meeting of April 11, 1985. The Commissioners having received, approved and returned copies of same.

APPROVAL OF CONSENT CALENDAR

Recommendation of the City Attorney for settlement of the following claims against the City and County of San Francisco:

RESOLUTION NO. 542-85

ANGEL GARCIA, et al, vs. CITY & COUNTY OF SAN FRANCISCO

RESOLVED, that the recommendation of the City Attorney for settlement of the litigation of Angel Garcia in the sum of $15,000.00 in Superior Court No. 797-572, entitled "Angel Garcia, et al, vs. City & County of San Francisco", as the result of damages sustained be, and the same is hereby denied.

Date of Incident: November 1, 1981

AYES: Commissioners Daly, Toler, Hsieh, Nelder, Sanchez

RESOLUTION NO. 543-85

JOSEPH SPAULDING vs. CITY & COUNTY OF SAN FRANCISCO

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Joseph Spaulding in the sum of $3,385.95 in Municipal Court No. 845-994 entitled "CSAA (Joseph Spaulding) vs. City & County of San Francisco" as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: January 20, 1982

AYES: Commissioners Daly, Toler, Hsieh, Nelder, Sanchez

RESOLUTION NO. 544-85

VERNEL PRIMUS vs. CITY & COUNTY OF SAN FRANCISCO

RESOLVED, that the recommendation of the City Attorney for settlement of the litigation of Vernel Primus in the sum of $15,000.00 in Superior Court No. 832-078 entitled "Vernel Primus vs. City & County of San Francisco" as the result of damages sustained be, and the same is hereby approved.

Date of Incident: December 25, 1983

AYES: Commissioners Daly, Toler, Hsieh, Nelder, Sanchez

RESOLUTION NO. 545-85

ANA SERRANO vs. CITY & COUNTY OF SAN FRANCISCO

RESOLVED, that the recommendation of the City Attorney for settlement of the litigation of Ana Serrano in the sum of $17,500.00 in Superior Court No. 783-847 entitled "Ana Serrano vs. City and County of San Francisco", as the result of damages sustained be, and the same is hereby approved.

Date of Incident: February 12, 1981

AYES: Commissioners Daly, Toler, Hsieh, Nelder, Sanchez

RESOLUTION NO. 549-85

JOSHUA HOM, et al vs. CITY AND COUNTY OF SAN FRANCISCO, et al

RESOLVED, that the recommendation of the City Attorney for settlement of the litigation of Joshua Hom in U.S. District Court No. C85-2849 JPV entitled Joshua Hom, Stan L. Corporation, a California Corporation, Stephen Moses and S. Moses Financia, Inc., a California corporation vs. City and Copunty of San Francisco, et al, is hereby approved.

AYES: Commissioners Daly, Toler, Hsieh, Nelder, Sanchez

RESOLUTION NO. 546-85

RECOMMENDATION OF THE CHIEF THAT CRIMINALIST DEBBIE WAKIDA, CRIMINALISTICS DIVISION, BE AUTHOR TO ATTEND THE SEXUAL ASSUALT EVIDENCE COURSE IN EMERYVILLE, CA FROM MAY 20 TO MAY 31, 1985

RESOLVED, that the recommendation of the Chief of Police that Criminalist Debbie Wakida, Criminalistics Division, be authorized to attend the Sexual Assualt Evidence Course, conducted by the Serological Research Institute in Emeryville, California from My 20 to May 31, 1985, is hereby approved; and be it further

RESOLVED, that expenses in the amount of 1,300.00 for tutiion will be defrayed by The Department Training Fund.

AYES: Commissioners Daly, Toler, Hsieh, Nelder, Sanchez

TRAVELING EXPENSE VOUCHERS - APPROVED

RESOLUTION NO. 556-85

RESOLVED, that the Traveling Expense Vouchers submitted by the following named members of The Police Department for expenses incurred in attending the below indicated program, be, and the same are hereby approved.

Sergeant John Carlin (Narcotics Investigation Course
Officer Michael Hamilton (Sacramento, California
(4/7/85 - 4/19/85
($731.65 each

AYES: Commissioners Daly, Toler, Hsieh, Nelder, Sanchez

TRAVELING EXPENSE VOUCHERS - APPROVED

RESOLUTION NO. 557-85

RESOLVED, that the Traveling Expense Vouchers submitted by the following named members of The Police Department for expenses incurred in attending the below indicated program, be, and the same are hereby approved.

Investigator Sheila McEvoy (Internal Affairs Seminar
Investigator Araceli Matus (Long Beach, California
Investigator Barbara Attard (4/17/85 - 4/19/85
($552.25 each

AYES: Commissioners Daly, Toler, Hsieh, Nelder, Sanchez

TRAVELING EXPENSE VOUCHERS - APPROVED

RESOLUTION NO. 558-85

RESOLVED, that the Traveling Expense Vouchers submitted by the following named members of The Police Department for expenses incurred in attending the below indicated program, be, and the same are hereby approved.

Sergeant Robert Hankins (Hazardous Devices School
Officer William Taylor (Huntsville, Alabama
(3/31/85 - 4/26/85
($2,609.25 each

AYES: Commissioner Daly, Toler, Hsieh, Nelder, Sanchez

TRAVELING EXPENSES VOUCHER - APPROVED

RESOLUTION NO. 559-85

RESOLVED, that the Traveling Expense Voucher submitted by the following named member of The Police Department for expenses incurred program, be, and the same is hereby approved.

Inspector Howard Bailey (American Association of Police
(Polygraphists Seminar
(Albuquerque , New Mexico
(4/23/85 - 4/27/85 $641.25

TRAVELING EXPENSES VOUCHE - APPROVED

RESOLUTION NO. 560-85

RESOLVED, that the Traveling Expense Voucher submitted by the following named member of The Police Department for expenses incurred in attending the below indicated program, be, and the same is hereby approved.

Inspector George Matelli (Crime Conference 85' Why is
(Los Angeles, California
(3/28/85 - 3/29/85
($375.93

AYES: Commissioners Daly, Toler, Hsieh, Nelder Sanchez

POLICE COMMISSION REPORT

President Sanchez announced that the Police Commission, met in closed session this date on Attorney Client Conference matters and no vote was taken.

CHIEF'S REPORT TO THE POLICE COMMISSION

Chief F. Cornelius P. Murphy announced that with the approval of The Police Commission he would appoint as Commanders Captains Willis Casey and Frank Jordan. ~~t the next Police Commission Meeting.~~

RESOLUTION NO. 547-85

APPOINTMENTS

RESOLVED, that The Police Commission hereby approves the appointments set forth below, prusuant to Charter Section 3.501:

Frank J. Jordan - Commander
Effective COB May 20, 1985, 1700 hour

Willis A. Casey - Commander
Effective COB Mau 20, 1985, 1700 hour

therefore be it further;

RESOLVED, that the above appointments made by Chief of Police Cornelius P. Murphy, be, and the same is hereby approved.

AYES: Commissioners Daly, Toler, Nelder, Hsieh, Sanchez

STATUS REPORT ON THE SAN FRANCISCO PATROL SPECIAL OFFICERS

Continued one week

STATUS REPORT ON THE SAN FRANCISCO POLICE DEPARTMENT'S PHYSICAL FITNESS PROGRAM

Continued one week

RESOLUTION NO. 548-85

NOTIFICATION AND FILING OF CHARGES AGAINST SERGEANT STEVEN T. SMITH, RICHMOND STATION

WHEREAS, charges of violating the Rules and Procedures of the San Francisco Police Department were filed against Police Sergeant Steven t. Smith, Richmond Station, as follows:

SPECIFICATION NO. 1

Failure to devote entire time while on duty to the achievement of the Department's basic mission (a violation of Rule A-1 of General Order D-1 of the San Francisco Police Department).

SPECIFICATION NO. 2

Engaging in personal business while on duty (violation of Rule B-2 of General Order D-1 of the San Francisco Police Department).

SPECIFICATION NO. 3

Engaging in conduct which tends to subvert the good order, efficiency and discipline of the Department and which reflects discredit upon the Department (violation of Rule A-9 of General Order D-1 of the San Francisco Police Department).

by Cornelius P. Murphy, Chief of Police, of The San Francisco Police Department; therefore be it

RESOLVED, that the date for the setting of the hearing of the disciplinary charges filed against Sergeant Steven T. Smith, Richmond Station, is set for Thursday, May 23, 1985 at 5:30 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Daly, Toler, Hsieh, Nelder, Sanchez

RESOLUTION NO. 550-85

REQUEST OF MR. MACK WATSON, TO SUSPEND OPERATION OF HIS JITNEY BUS PERMIT #28, FROM APRIL 9, 1985 TO MAY 5, 1985 - APPROVED

WHEREAS, Mr. Mack Watson has requested that permission be granted to suspend operation of his motor vehicle for hire permit from April 9, 1985 to May 5, 1985; and

WHEREAS, Mr. Watson did appear in person and was not represented by counsel; therefore be it

RESOLVED, that it is the Order of The Police Commission that the request of Mr. Mack Watson for permission to suspend operation of his motor vehicle for hire permit from April 9, 1985 to May 5, 1985, be, and the same is hereby approved.

AYES: Commissioners Daly, Toler, Nelder, Hsieh, Sanchez

RESOLUTION NO. 551-85

DEPARTMENT GENERAL ORDER R-1 - VEHICLE ACCIDENTS INVOLVING MEMBERS - APPROVED

RESOLVED, that The Police Commission hereby approves Department General Order R-1, Vehicle Accidents Involving Members.

AYES: Commissioners Daly, Toler, Hsieh, Nelder, Sanchez

RESOLUTION NO. 552-85

DEPARTMENT GENERAL ORDER - USE OF FORCE - APPROVED

RESOLVED, that the Police Commission hereby approves Department General Order, Use of Force.

AYES: Commissioners Daly, Toler, Hsieh, Nelder, Sanchez

RESOLUTION NO. 561-85

REQUEST FOR SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF $50,000.00 TO OBTAIN A PROFESSIONAL SERVICES CONTRACT FOR A MANAGEMENT STUDY OF THE SAN FRANCISCO POLICE DEPARTMENT

RESOLVED, that The Police Commission hereby approves a request for a Supplemental Appropriation in the amount of $50,000.00 to fund a management survey by the International Association of Chiefs of Police (IACP) of The San Francisco Police Department.

AYES: Commissioners Daly, Toler, Hsieh, Nelder, Sanchez

HEARING OF POLICE OFFICER ROY M. RAMOS, NORTHERN STATION

The hearing of Police Officer Roy M. Ramos, Northern Station, was called it having been set for this date. Police Officer Roy M. Ramos was charged with violating the Rules and Procedures as follows:

CHARGE NO. 1

Failure to maintain himself in a fit condition to perform police duties while off duty and carrying a firearm (violation of Rule A-3 of General Order D-1 of the San Francisco Police Department);

CHARGE NO. 2

Engaging in conduct which tends to subvert the good order, efficiency or discipline of The Department or which reflects discredit upon the Department (violation of Rule A-9 of General Order D-1 of the San Francisco Police Department).

in a properly verified complaint by Cornelius P. Murphy, Chief of Police of The San Francisco Police Department.

Police Officer Roy M. Ramos appeared in person and was represented by Mr. Casimer Wilson, Attorney at Law.

Mr. Jerry Akins, Attorney at Law, appeared as Prosecutor for the San Francisco Police Department.

An opening statement was made by mr. Jerry Akins for the Prosecution.

An opening statement was made by Attorney Casimer Wilson for the Defense.

The charges against Office Roy M. Ramos were then read into the record by Attorney Jerry Akins.

Attorney Casimer Wilson, on behalf of Officer Roy M. Ramos, made a plea of guilty to the charges, with explanation.

The following named witness was called by the Defense, was sworn and testified;

Officer Roy M. Ramos, Northern Station

The following named witnesses were called by the Prosecution, were sworn and testified:

Sergeant Joseph Allegro, Northern Station
Officer Robert L. Armanino, Northern Station

A motion was made by Commissioner Alfred J. Nelder to accept the plea of Officer Roy M. Ramos and seconded by Commissioner Burl A. Toler, and unanimously approved.

Based on those findings The Commission requested a recommendation from Chief of Police Cornelius Murphy. It is the recommendation of the Chief of Police that Officer Roy M. Ramos be suspended for 20 days.

The Commission took the matter under submission and the following resolution was adopted:

RESOLUTION NO. 553-85

WHEREAS, on March 5, 1985, Cornelius P. Murphy, Chief of Police, made and served charges against Officer Roy M. Ramos, Northern Station, as follows:

CHARGE NO. 1

Failure to maintain himself in a fit condition to perform police duties while off duty and carrying a firearm (violation of Rule A-3 of General Order D-1 of the San Francisco Police Department);

(1) At all times herein mentioned, Roy M. Ramos, Star No. 2218 (hereinafter referred to as "the accused"), was and is a Police Officer employed by the San Francisco Police Department and currently assigned to Company E;

(2) As a Police Officer, the accused is responsible for knowing and obeying the rules, orders, and procedures of the San Francisco Police Department;

(3) At or about 0135 hours on January 29, 1985, the accused was off duty and armed with a handgun at or near 2201 Fillmore Street in San Francisco;

(4) While at 2201 Fillmore Street, The Hillcrest Bar and Grill, the accused observed a dispute between a bar patron and a cocktail waitress over the payment of a bill;

(5) While the accused went outside the bar with the patron, the manager of the bar called Police Communications to report that a problem with a drunk was being handled by an off-duty Police Officer with "a piece".

(6) Police Communications dispatched a patrol car to the vicinity of 2201 Fillmore to investigate an 811/221 complaint (drunk man with a gun);

(7) Upon arrival at the scene, the two officers who were assigned this call exited the patrol car and separated the bar patron and the accused;

(8) One of the officers took the unruly bar patron into custody and the other officer placed his hand on the accused's arm as a friendly gesture;

(9) As the officer touched the accused's arm, the officer noted that the accused had a gun in his hand which the accused was holding under his armpit;

(10) The officer, having observed that the accused was intoxicated, took possession of the accused's firearm;

(11) By being intoxicated while off-duty and carrying a firearm, the accused violated Rule A-3 of General order D-1 of the San Francisco Police Department, which states that:

> "Officers shall, while carrying a firearm off-duty or while acting in the capacity of a peace officer, maintain themselves in a fit condition to perform police duties."

CHARGE NO. 2

(1) At all times herein mentioned, Roy M. Ramos, Star No. 2218 (hereinafter referred to as "the accused"), was and is a police officer employed by the San Francisco Police Deaprtment and currently assigned to the Company E;

(2) As a Police Officer, the accused is responsible for knowing and obeying the rules, orders and procedures of the San Francisco Police Department;

(3) At or about 0135 hours on January 29, 1985, the accused was off duty and armed with a handgun at or near 2201 Fillmore Street in San Francisco;

(4) While at 2201 Fillmore Street, The Hillcrest Bar and Grill, the accused observed a dispute between a bar patron and a cocktail waitress over the payment of a bill;

(5) While the accused went outside the bar with the patron, the manager of the bar called Police Communications to report that a probleme with a drunk was being handled by an off-duty Police Officer with a "a piece".

(6) Police Communications dispatched a patrol car to the vicinity of 2201 Fillmore to investigate an 811/221 complaint (drunk man with a gun);

(7) Upon arrival at the scene, the two officers who were assigned this call exited the patrol car and separated the bar patron and the accused;

(8) One of the officers took the unruly bar patron into custody and the other officer placed his hand on the accused's arm as a friendly gesture;

(9) As the Officer touched the accused's arm, the Officer noted that the accused had a gun in his hand which the accused was holding under his armpit;

(10) The Officer, having observed that the accused was intoxicated, took possession of the accused's firearm;

(11) By failing to maintain himself in a fit condition to perform police duties while off-duty and carrying a firearm, the accused has engaged in conduct which tends to subvert the good order, efficiency, or discipline of The Department and which reflects discredit upon The Department which constitutes a violation of Rule A-9 of General Order D-1 of The San Francisco Police Department, which states:

and

WHEREAS, a hearing on said charges was held before The Police Commission pursuant to Section 8.343 of The Charter of The City and County of San Francisco on Thursday, May 16, 1985, and on Thursday, May 16, 1985, the matter was submitted to The Police Commission for decision; and

WHEREAS, The Police Commission finds that the said allegations contained in Charge No. 1, violation of Rule A-9 of General Order D-1; and Charge No. 2, violation of Rule A-9 of General Order D-1 of The San Francisco Police Department are sustained by a plea of Guilty by Attorney Casimer Wilson on behalf of his client, Officer Roy M. Ramos; therefore be it

RESOLVED, that based on these findings, consistent with the Commission's duty to protect the health, safety and general welfare of The City and County of San Francisco and the public in general, and in order to promote efficiency and good discipline in the San Francisco Police Department, The Commission orders that for said violations, Officer Roy M. Ramos, Northern Station, shall be suspended for 20 calendar days, said suspension to commence Friday, May 17, 1985 at 0001 hours and ending on Wednesday, June 5, 1985 at 2400 hours. Officer Roy M. Ramos shall obtain an evaluation report on his condition, attend an Alcoholic Rehabilitation Program of his choice, and submit a complete report of the results to his Commanding Officer.

Recess taken during the hearing of Officer Roy M. Ramos:

2048 hours to 2054 hours

(The entire proceedings were taken shorthand form by Ms. Linda Pransky, CSR.)

AYES: Commissioners Daly, Toler, Hsieh, Nelder, Sanchez

THE MEETING WAS THEREAFTER ADJOURNED AT 8:56 P.M.

Willie E. Frazier

LIEUTENANT WILLIE E. FRAZIER
SECRETARY
THE POLICE COMMISSION

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THE POLICE COMMISSION MEETING OF MAY 23, 1985
WAS CANCELLED

Willie E. Frazier

LIEUTENANT WILLIE E. FRAZIER
SECRETARY
THE POLICE COMMISSION

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THE POLICE COMMISSION MEETING OF MAY 30, 1985
WAS CANCELLED

Willie E. Frazier

LIEUTENANT WILLIE E. FRAZIER
SECRETARY
THE POLICE COMMISSION

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JUNE 6, 1985 SPECIAL MEETING

The Police Commission of The City and County of San Francisco met in their chambers, Room 512, Hall of Justice, 850 Bryant Street, on Thursday, June 6, 1985 at 1700 hours in a Special Meeting in Closed Session.

PRESENT: Commissioners Toler, Nelder, Sanchez
ABSENT: Commissioners Daly, Hsieh

Commissioner Sanchez presiding

1. Attorney-Client Conference

JUNE 6, 1985 REGULAR MEETING

The Police Commission of The City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Thursday, June 6, 1985 at 1700 hours in a Regular Meeting.

PRESENT: Commissioners Toler, Nelder, Sanchez
ABSENT: Commissioners Daly, Hsieh

Commissioner David Sanchez presiding.

PRESENTATION OF MEDALS OF VALOR & CERTIFICATES

The following named members of the Police Department will be presented Medal of Valor Awards and Certificates the The Police Commission Meeting on Thursday, May 30, 1985 at 1800 hours. All members, their families and friends are invited to attend.

Officer Kim Hennessy	Gold Medal
Officer Sherman L. Ackerson	Gold Medal
Officer Vincent C. Neeson	Gold Medal
Officer Joe E. Williams	Silver Medal
Officer Bruce Lovell	Bronze Medal
Officer Richard Andrews	Bronze Medal
Officer Barry Weaver	Bronze Medal
Officer Donald R. Read	Bronze Medal
Officer Donald T. Ross	Bronze Medal
Officer Edward J. Wynkoop	Bronze Medal
Officer Richard P. Janese	Bronze Medal
Officer Michael D. Becker	Bronze Medal
Officer Jeremy Zatkin	Bronze Medal
Officer Kenneth Sugrue	Bronze Medal
Officer David Seid	Bronze Medal
Officer George Lozano	Bronze Medal
Officer John Payne	Meritorious Conduct Award
Officer Peter Siragusa	Meritorious Conduct Award
Inspector Calvin Nutting	Meritorious Conduct Award
Inspector Paul Ryan	Meritorious Conduct Award
Officer Stephen A. Tacchini	Meritorious Conduct Award
Officer Dennis A. Maffei	Meritorious Conduct Award
Officer Louis K. Espinda	Meritorious Conduct Award
Officer Eric B. Quema	Meritorious Conduct Award
Inspector Alban Weatherman	Meritorious Conduct Award
Inspector Edmond Paasche	Meritorious Conduct Award
Sergeant David Roccaforte	Meritorious Conduct Award
Inspector Inocente Cisneros	Meritorious Conduct Award

APPROVAL OF MINUTES OF THE MEETING OF MAY 2, 1985

Approval of minutes of the meeting of May 2, 1985. The Commissioners having received, approved and returned copies of same.

APPROVAL OF CONSENT CALENDAR

Recommendation of the City Attorney for settlement of the following claims against the City and County of San Francisco:

RESOLUTION NO. 562-85

AURA GRANDADOS vs. CITY AND COUNTY OF SAN FRANCISCO

RESOLVED, that the recommendation of the City Attorney for settlement of the litigation of Aura Granados in the sum of $65,000.00 in Superior Court No. 824-569 entitled "Aura Granados vs. City & County of San Francisco" as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: January 23, 1984

AYES: Commissioners Toler, Nelder, Sanchez
ABSENT: Commissioner Daly, Hsieh

RESOLUTION NO. 563-85

JOSEPH CAMILLERI et al, vs. CITY & COUNTY OF SAN FRANCISCO

RESOLVED, that the recommendation of the City Attorney for settlement of the litigation of Joseph Camilleri, et al, in the amount of $8,672.23 in Superior Court No. 791-195 entitled "Joseph Camilleri et al, vs. City and County of San Francisco", as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: November 21, 1981

AYES: Commissioners Toler, Nelder, Sanchez
ABSENT: Commissioners Daly, Hsieh

RESOLUTION NO. 564-85

MALCOLM SMITH, ET AL, vs. CITY & COUNTY OF SAN FRANCISCO

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Malcolm Smith, et al, in the amount of $7,500.00 in Superior Court No. 818-879 entitled "Malcolm Smith, et al, vs. City & County of San Francisco" as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: July 21, 1983

AYES: Commissioners Toler, Nelder, Sanchez
ABSENT: Commissioners Daly, Hsieh

RESOLUTION NO. 565-85

NEIL C. ZARCHIN vs. CITY & COUNTY OF SAN FRANCISCO

RESOLVED, that the recommendation of the City Attorney for settlement of litigation of Neil C. Zarchin, et al, in Superior court No. 811-577 entitled "Neil C. Zarchin vs. City & County of San Francisco, et al.," as the result of damages sustained, be, and the same is hereby approved.

RESOLUTION NO. 566-85

FRANK B. HALL & CO. (TOWNE FORD)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Frank B. Hall & Co. in the sum of $5,062.24 entitled "Frank B. Hall & Co. (Towne Ford)" as the result of damages sustained be, and the same is hereby approved.

Date of Incident: August 16, 1984

AYES: Commissioners Toler, Nelder, Sanchez
ABSENT: Commissioners Daly, Hsieh

RESOLUTION NO. 567-85

STATE FARM INSURANCE (BARBARA TURPIN)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of State Farm Insurance (Barbara Turpin) in the amount of $2,169.00 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: January 25, 1985

AYES: Commissioners Toler, Nelder, Sanchez
ABSENT: Commissioners Daly, Hsieh

RESOLUTION NO. 568-85

SCOTT CHAN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Scott Chan in the amount of $2,000.00 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: January 3, 1985

AYES: Commissioners Toler, Nelder, Sanchez
ABSENT: Commissioners Daly, Hsieh

RESOLUTION NO. 569-85

JOSIE LEVINE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Josie Levine in the sum of $7,66.23 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: February 1, 1985

AYES: Commissioners Toler, Nelder, Sanchez
ABSENT: Commissioners Daly, Hsieh

RESOLUTION NO. 570-85

YUHAS AND O'BRIEN vs. CITY & COUNTY OF SAN FRANCISCO

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Yuhas and O' Brien in the amount of $500.00 in Marin County Superior No. 102-866 entitled "Yuhas and O'Brien vs. City & County of San Francisco, et al", as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: November 29, 1980

AYES: Commissioners Toler, Nelder, Sanchez
ABSENT: Commissioners Daly, Hsieh

RESOLUTION NO. 571-85

HO LE-VAN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Ho Le-Van in the amount of $500.00 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: February 25, 1985

AYES: Commissioners Toler, Nelder, Sanchez
ABSENT: Commissioners Daly, Hsieh

RESOLUTION NO. 572-85

STATE FARM INSURANCE (CECILIA HOPKINS)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of State Farm Insurance (Cecilia Hopkins) in the amount of $279.94 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: January 16, 1985

AYES: Commissioners Toler, Nelder, Sanchez
ABSENT: Commissioners Daly, Toler

RESOLUTION NO. 573-85

GARY CHAN vs. CITY & COUNTY OF SAN FRANCISCO

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Gary Chan vs. City & County of San Francisco, et al, in the sum of $250.00 in Municipal Court No. 806-148, as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: March 17, 1980

AYES: Commissioners Toler, Nelder, Sanchez
ABSENT: Commissioners Daly, Hsieh

RESOLUTION NO. 589-85

ABC TOWING (CARR)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing (Carr) in the sum of $87.75 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: February 13, 1985

AYES: Commissioners Toler, Nelder, Sanchez
ABSENT: Commissioners Daly, Hsieh

RESOLUTION NO. 590-85

JODY C. CADY

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Jody C. Cady in the sum of $64.75 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 13, 1985

AYES: Commissioners Toler, Nelder, Sanchez
ABSENT: Commissioners Daly, Hsieh

RESOLUTION NO. 591-85

SERENA LAI

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Serena Lai in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 20, 1985

AYES: Commissioners Toler, Nelder, Sanchez
ABSENT: Commissioners Daly, Hsieh

RESOLUTION NO. 592-85

WANDA UNDERHILL

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Wanda Underhill in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 17, 1985

AYES: Commissioners Toler, Nelder, Sanchez
ABSENT: Commissioners Daly, Hsieh

RESOLUTION NO. 593-85

EMILIA CATALIN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Emilia Catalin in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 26, 1985

AYES: Commissioners Toler, Nelder, Sanchez
ABSENT: Commissioners Daly, Hsieh

RESOLUTION NO. 594-85

LINDA GRISHMAN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Linda Grishman in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 28, 1985

AYES: Commissioners Toler, Nelder, Sanchez
ABSENT: Commissioners Daly, Hsieh

RESOLUTION NO. 595-85

MONTE R. WHITE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Monte R. White in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 16, 1985

AYES: Commissioners Toler, Nelder, Sanchez
ABSENT: Commissioners Daly, Hsieh

RESOLUTION NO. 596-85

JULIA AND DENNIS CONRAD

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Julia and Dennis Conrad in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 5, 1985

AYES: Commissioners Toler, Nelder, Sanchez
ABSENT: Commissioners Daly, Hsieh

RESOLUTION NO. 597-85

JAY GOLDMAN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Jay Goldman in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: January 27, 1985

AYES: Commissioners Toler, Nelder, Sanchez
ABSENT: Commissioners Daly, Hsieh

RESOLUTION NO. 598-85

BARBARA MANCE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Barbara Mance in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: April 10, 1985

AYES: Commissioners Toler, Nelder, Sanchez
ABSENT: Commissioners Daly, Hsieh

RESOLUTION NO. 599-85

JAMES N. McVEA

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of James N. McVea in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: April 14, 1985

AYES: Commissioners Toler, Nelder, Sanchez
ABSENT: COmmissioners Daly, Hsieh

RESOLUTION NO. 600-85

MARY S. KELLY

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Mary S. Kelly in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 2, 1985

AYES: Commissioners Toler, Nelder, Sanchez
ABSENT: Commissioners Daly, Hsieh

RESOLUTION NO. 601-85

LINDA HEUERMANN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Linda Heuermann in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 8, 1985

AYES: Commissioners Toler, Nelder, Sanchez
ABSENT: Commissioners Daly, Hsieh

RESOLUTION NO. 602-85

ROSETTA J. FONSECA

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Rosetta J. Fonseca in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 27, 1985

AYES: Commissioners Toler, Nelder, Sanchez
ABSENT: Commissioners Daly, Hsieh

RESOLUTION NO. 603-85

KEVIN B. FAY

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Kevin B. Fay in the sum of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 27, 1985

AYES: Commissioners Toler, Nelder, Sanchez
ABSENT: COmmissioners Daly, Hsieh

RESOLUTION NO. 604-85

TERRI A. RAYNE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Terri A. Rayne in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 22, 1985

AYES: Commissioners Toler, Nelder, Sanchez
ABSENT: Commissioners Daly, Hsieh

RESOLUTION NO. 605-85

ABC TOWING (POINTING)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing (Pointing) in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: April 8, 1985

AYES: Commissioners Toler, Nelder, Sanchez
ABSENT: Commissioners Daly, Hsieh

RESOLUTION NO. 606-85

BRUCE D. FRIEDMAN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Bruce D. Friedman in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: April 19, 1985

AYES: Commissioners Toler, Nelder, Sanchez
ABSENT: Commissioners Daly, Hsieh

RESOLUTION NO. 607-85

FLETCHER LOCKLEAR

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Fletcher Locklear in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 22, 1985

AYES: Commissioners Toler, Nelder, Sanchez
ABSENT: Commissioners Daly, Hsieh

RESOLUTION 608-85

FRANCIS ADAMOWICZ

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Francis Adamowicz in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: April 15, 1985

AYES: Commissioners Toler, Nelder, Sanchez
ABSENT: Commissioners Daly, Hsieh

RESOLUTION NO. 609-85

PAMELA A. ESER

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Pamela A. Eser in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: April 19, 1985

AYES: Commissioners Toler, Nelder, Sanchez
ABSENT: Commissioners Daly, Hsieh

RESOLUTION NO. 610-85

STEVEN K. LAU

RESOLVED, that the recommendation of the City Attorney for the settlement of the claim of Steven K. Lau in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: April 22, 1985

AYES: Commissioners Toler, Nelder, Sanchez
ABSENT: Commissioners Daly, Hsieh

RESOLUTION NO. 611-85

ELANA BLOOM, M.D.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Elana Bloom, M.D. in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: April 13, 1985

AYES: Commissioners Toler, Nelder, Sanchez
ABSENT: Commissioners Daly, Hsieh

RESOLUTION NO. 612-85

LESLIE M. ZABLEN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Leslie M. Zablen in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: April 24, 1985

AYES: Commissioners Toler, Nelder, Sanchez
ABSENT: Commissioners Daly, Hsieh

RESOLUTION NO. 613-85

LESLIE CHERNAK

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Leslie Chernak in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: April 16, 1985

AYES: Commissioners Toler, Nelder, Sanchez
ABSENT: Commissioners Daly, Hsieh

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RESOLUTION NO. 614-85

DAVID BLOHM

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of David Blohm in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: April 9, 1985

AYES: Commissioners Toler, Nelder, Sanchez
ABSENT: Commissioners Daly, Hsieh

RESOLUTION NO. 615-85

JEFFREY PELLINE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Jeffrey Pelline in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: April 4, 1985

AYES: Commissioners Toler, Nelder, Sanchez
ABSENT: Commissioners Daly, Hsieh

RESOLUTION NO. 616-85

RHEA L. SULLIVAN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Rhea L. Sullivan in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: April 6, 1985

AYES: Commissioners Toler, Nelder, Sanchez
ABSENT: Commissioners Daly, Hsieh

RESOLUTION NO. 617-85

MOSES LEEKUNG YU

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Moses Leekung Yu in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 21, 1985

AYES: Commissioners Toler, Nelder, Sanchez
ABSENT: Commissioners Daly, Hsieh

RESOLUTION NO. 618-85

MARGARET THORNTON

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Margaret Thornton in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 22, 1985

AYES: Commissioners Toler, Nelder, Sanchez
ABSENT: Commissioners Daly, Hsieh

RESOLUTION NO. 619-85

YELLOW CAB CO-OP, INC.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Yellow Cab Co-Op, Inc. in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: April 1, 1985

AYES: Commissioners Toler, Nelder, Sanchez
ABSENT: Commissioners Daly, Hsieh

RESOLUTION NO. 620-85

ELIZABETH KANTOR

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Elizabeth Kantor in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 18, 1985

AYES: Commissioners Toler, Nelder, Sanchez
ABSENT: Commissioners Daly, Hsieh

RESOLUTION NO. 621-85

RICHARD LAGRANT

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Richard LaGrant in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 29, 1985

AYES: Commissioners Toler, Nelder, Sanchez
ABSENT: Commissioners Daly, Hsieh

RESOLUTION NO. 622-85

FRANCINE MALONE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Francine Malone in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 18, 1985

AYES: Commissioners Toler, Nelder, Sanchez
ABSENT: Commissioners Daly, Hsieh

RESOLUTION NO. 623-85

ANNE HIETBRINK

RESOLVED, that the recommendation of the City Attorney for recommendation of the City Attorney for settlement of the claim of Anne Hietbrink in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: April 13, 1985

AYES: Commissioners Toler, Nelder, Sanchez
ABSENT: Commissioners Daly, Hsieh

RESOLUTION NO. 624-85

CATHERINE M. TAYLOR

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Catherine M. Taylor in the sum of $23.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 20, 1985

AYES: Commissioners Toler, Nelder, Sanchez
ABSENT: Commissioners Daly, Hsieh

RESOLUTION NO. 625-85

ROBERT MOSKE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Gilbert Bautista in the sum of $76.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 29, 1985

AYES: Commissioners Toler, Toler, Sanchez
ABSENT: Commissioners Daly, Hsieh

RESOLUTION NO. 626-85

GILBERT BAUTISTA

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Gilbert Bautista in the sum of $76.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 29, 1985

AYES: Commissioners Toler, Nelder, Sanchez
ABSENT: Commissioners Daly, Hsieh

RESOLUTION NO. 627-85

CAROL AYERS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Carol Ayers in the sum of $43.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: January 22, 1985

AYES: Commissioners Toler, Nelder, Sanchez
ABSENT: Commissioners Daly, Hsieh

RESOLUTION NO. 628-85

JAMES CAMPBELL

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of James Campbell in the sum of $57.09 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: February 4, 1985

AYES: Commissioners Toler, Nelder, Sanchez
ABSENT: Commissioners Daly, Hsieh

RESOLUTION NO. 629-85

ABC TOWING (SCURRY)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing (Scurry) in the sum of $34.50 as the result of a storage charge, be, and the same is hereby approved.

Date of Incident: March 8, 1985

AYES: Commissioners Toler, Nelder, Sanchez
ABSENT: Commissioners Daly, Hsieh

RESOLUTION NO. 630-85

ABC TOWING (ROMO)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing (Romo) in the sum of $63.60 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 8, 1985

AYES: Commissioners Toler, Nelder, Sanchez
ABSENT: Commissioners Daly, Hsieh

RESOLUTION NO. 631-85

ABC TOWING (SCHNEIDER)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing (Schneider) in the sum $87.75 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 15, 1985

AYES: Commissioners Toler, Nelder, Sanchez
ABSENT: Commissioners Daly, Hsieh

RESOLUTION NO. 632-85

ABC TOWING (PAVONE)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing (Pavone) in the sum of $63.60 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: February 14, 1985

AYES: Commissioners Toler, Nelder, Sanchez
ABSENT: Commissioners Daly, Hsieh

RESOLUTION NO. 633-85

ABC TOWING (PARNELL)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing (Parnell) in the sum of $63.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: February 14, 1985

AYES: Commissioners Toler, Nelder, Sanchez
ABSENT: Commissioners Daly, Hsieh

RESOLUTION NO. 634-85

ABC TOWING (HAYES)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing (Hayes) in the sum of $87.75 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: February 26, 1985

AYES: Commissioners Toler, Nelder, Sanchez
ABSENT: Commissioners Daly, Hsieh

RESOLUTION NO. 635-85

ABC TOWING (CRIVELLE)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing (Crivelle) in the sum of $87.75 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 19, 1985

AYES: Commissioners Toler, Nelder, Sanchez
ABSENT: Commissioners Daly, Hsieh

RESOLUTION NO. 636-85

ABC TOWING (BAILEY)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 28, 1985

AYES: Commissioners Toler, Nelder, Sanchez
ABSENT: Commissioners Daly, Hsieh

RESOLUTION NO. 637-85

ARMANDO FOR HAIR

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: January 18, 1985

AYES: Commissioners Toler, Nelder, Sanchez
ABSENT: Commissioners Daly, Hsieh

RESOLUTION NO. 638-85

CHANTAL POLINIERE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Chantal Poliniere in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: April 24, 1985

AYES: Commissioners Toler, Nelder, Sanchez
ABSENT: Commissioners Daly, Hsieh

RESOLUTION NO. 639-85

GLORIA HIGUERA

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Gloria Higuera in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

AYES: Commissioners Toler, Nelder, Sanchez
ABSENT: Commissioners Daly, Hsieh

RESOLUTION NO. 640-85

PAUL B. NAU

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Paul B. Nau in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 29, 1985

AYES: Commissioners Toler, Nelder, Sanchez
ABSENT: Commissioners Daly, Hsieh

RESOLUTION NO. 641-85

ABC TOWING (MATRANGA)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing (Matranga) in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: April 5, 1985

AYES: Commissioners Toler, Nelder, Sanchez
ABSENT: Commissioners Daly, Hsieh

RESOLUTION NO. 642-85

ABC TOWING (MONIGATTI-LAKE)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing (Matranga) in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: April 5, 1985

AYES: Commissioners Toler, Nelder, Sanchez
ABSENT: Commissioners Daly, Hsieh

RESOLUTION NO. 643-85

ANDREW LAYMAN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Andrew Layman in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: December 9, 1984

AYES: Commissioners Toler, Nelder, Sanchez
ABSENT: Commissioners Daly, Hsieh

RESOLUTION NO. 644-85

STEPHANIE J. PAPPAS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Stephanie J. Pappas in the sum of $53.25 as the result of damages, be, and the same is hereby approved.

Date of Incident: August 6, 1984

AYES: Commissioners Toler, Nelder, Sanchez
ABSENT: Commissioners Daly, Hsieh

RESOLUTION NO. 646-85

ELLEN L. YIP

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Ellen L. Yip in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: April 11, 1985

AYES: Commissioners Toler, Nelder, Sanchez
ABSENT: Commissioners Daly, Hsieh

RECOMMENDATION OF THE CHIEF THAT OFFICER PATRICK WHITE, ACADEMY SECTION, BE AUTHORIZED TO ATTEND THE VIDEO WORKSHOP IN SAN JOSE FROM JUNE 10 TO JUNE 14, 1985

RESOLUTION NO. 580-85

RESOLVED, that the recommendation of the Chief of Police that Officer Patrick White, Academy Section, be authorized to attend the Video Workshop, conducted by San Jose University in San Jose, California from June 10 to June 14, 1985, is hereby approved, and be it further

RESOLVED, that expenses in the amount of $539.25 for tuition, subsistence and travel will be reimbursed by P.O.S.T.

AYES: Commissioners Toler, Nelder, Sanchez
ABSENT: Commissioners Daly, Hsieh

RECOMMENDATION OF THE CHIEF THAT INSPECTORS HENRY HUNTER, MICHAEL PEDRINI, PAUL MORSE AND PELHAM WILMERDING, INVESTIGATIONS BUREAU/AUTO SECTION, BE AUTHORIZED TO ATTEND THE VEHICLE THEFT INVESTIGATION COURSE IN LOS GATOS, FROM 06/17 TO 6/21/85

RESOLUTION NO. 581-85

RESOLVED, that the recommendation of the Chief of Police that Inspectors Henry Hunter, Michael Pedrini, Paul Morse and Pelham Wilmerding, Auto Section, be authorized to attend the Vehicle Theft Investigation Course, conducted by San Jose State University in Los Gatos, California from June 17 to June 21, 1985, is hereby approved; and be it further

RESOLVED, that expenses in the amount of $480.25 each for tuition, subsistence and travel will be reimbursed by P.O.S.T.

AYES: Commissioners Toler, Nelder, Sanchez
ABSENT: Commissioners Daly, Hsieh

RECOMMENDAITON OF THE CHIEF THAT INSPECTORS RICHARD WEICH, CHRISTOPHER WELD AND KENNETH DAVIS, VICE CRIME DIVISION, BE AUTHORIZED TO ATTEND THE VICE INVESTIGATION COURSE IN SAN JOSE FROM JUNE 24 TO JUNE 28, 1985

RESOLUTION NO. 582-85

RESOLVED, that the recommendation of the Chief of Police that Inspectors Richard Weich, Christopher Weld and Kenneth Davis, Vice Crime Division, be authorized to attend the Vice Investigation Course, conducted by San Jose State University in San Jose, California from June 24 to June 28, 1985, is hereby approved; and be it further

RESOLVED, that expenses in the amount of $573.17 each for tuition, subsistence and travel will be reimbursed by P.O.S.T. Seventy per cent of these members salaries will also be reimbursed by P.O.S.T.

AYES: Commissioners Toler, Nelder, Sanchez
ABSENT: COmmissioners Daly, Hsieh

RECOMMENDATION OF THE CHIEF THAT INSPECTORS THOMAS TYRRELL AND WILLIAM VINCE, JUVENILE DIVISION, BE AUTHORIZED TO ATTEND THE JUVENILE LAW ENFORCEMENT OFFICER TRAINING COURSE IN PACIFICE GROVE, CALIFORNIA FROM JUNE 2 TO JUNE 7, 1985

RESOLUTION NO. 583-85

RESOLVED, that the recommendation of the Chief of Police that Inspectors Thomas Tyrrell and William Vince, Juvenile Division, be authorized to attend the Juvenile Law Enforcement Officer Training Course, conducted by the California Department of Youth Authority in Pacific Grove, California from June 2 to June 7, 1985, is hereby approved: and be it further

RESOLVED, that expenses in the amount of $439.00 each for tuition, subsistence and travel will be reimbursed by P.O.S.T Seventy percent of these members salaries will also be reimbursed by P.O.S.T.

AYES: Commissioners Toler, Nelder, Sanchez
ABSENT: Commissioners Daly, Hsieh

RECOMMENDATION OF THE CHIEF THAT OFFICER RALPH SCHOENSTEIN, CRIMINALISTICS SECTION, BE AUTHORIZED TO ATTEND THE CRIME SCENE VIDEO TAPING COURSE IN OAKLAND, CA FROM JUNE 5 TO JUNE 7, 1985

RESOLUTION NO. 584-85

RESOLVED, that the recommendation of the Chief of Police that Officer Ralph Schoenstein, Criminalistics Section, be authorized to attend the Crime Scene Video Taping Course, conducted by Garrett Video Productions in Oakland, California from June 5 to June 7, 1985, is hereby approved; and be it further

RESOLVED, that expenses in the amount of $151.75 for tuition, subsistence and travel will be reimbursed by P.O.S.T.

AYES: Commissioners Toler, Nelder, Sanchez
ABSENT: Commissioners Daly, Hsieh

RECOMMENDATION OF THE CHIEF THAT OFFICER JAMES SEIM, CRIMINALISTICS DIVISION, BE AUTHORIZED TO ATTEND THE LATENT PRINTS TECHNIQUES COURSE IN SACRAMENTO, CA FROM JUNE 17 TO JUNE 21, 1985

RESOLUTION NO. 585-85

RESOLVED, that the recommendation of the Chief of Police that Officer James Seim, Criminalistics Division, be authorized to attend the Latent Prints Techniques Course, conducted by the California Department of Justice in Sacramento, California from June 17 to June 21, 1985, is hereby approved; and be it further

RESOLVED, that expenses in the amount of $350.40 for subsistence and travel will be reimbursed by P.O.S.T.

AYES: Commissioners Toler, Nelder, Sanchez
ABSENT: Commissioners Daly, Hsieh

APPROVAL OF TRAVELING EXPENSE VOUCHERS SUBMITTED BY LIEUTENANT ALEXANDER STEVENS AND ATTORNEY REA PUCCINELLI IN THE AMOUNT OF $105.00 EACH FOR EXPENSES INCURRED IN ATTENDING THE C.P.O.A. CONFERENCE IN SAN FRANCISCO FROM MAY 15th TO MAY 18, 1985.

RESOLUTION NO. 587-85

RESOLVED, that the Traveling Expense Vouchers submitted by the following named members of the Police Department for expenses incurred in attending the below indicated program, be, and the same are hereby approved.

Lieutenant Alexander Stevens (C.P.O.A. Conference
Attorney Rae Puccinelli (San Francisco, CA
(5/15/85 - 5/18/85
($105.00 each

AYES: Commissioners Toler, Nelder, Sanchez
ABSENT: Commissioners Daly, Hsieh

APPROVAL OF TRAVELING EXPENSE VOUCHER SUBMITTED BY OFFICER JAMES DEELY IN THE AMOUNT OF $329.05 FOR EXPENSES INCURRED IN ATTENDING THE INFORMANT DEVELOPMENT AND MAINTENANCE COURSE IN SACRAMENTO FROM MARCH 3rd TO MARCH 15, 1985.

RESOLUTION NO. 588-85

RESOLVED, that the Traveling Expense Voucher submitted by the following named member of The Police Department for expenses incurred in attending the below indicated program, be, and the same is hereby approved.

Officer James Deely (Informant Development and
(Maintenance Sacramento, CA
(3/11/85 - 3/15/85
($329.05

AYES: Commissioners Toler, Nelder, Sanchez
ABSENT: Commissioners Daly, Hsieh

RECOMMENDATION OF THE CHIEF THAT CAPTAIN LAWRENCE GRAY, CENTRAL STATION, AND CAPTAIN HENRY EIDLER, CRIMINAL INFORMATION DIVISION, BE AUTHORIZED TO ATTEND THE P.O.S.T. EXECUTIVE DEVELOPMENT COURSE AT POMONA, CA FROM JUNE 9 TO JUNE 21, 1985

RESOLUTION NO. 586-85

RESOLVED, that the recommendation of the Chief of Police that Captain Lawrence Gray, Central Police Station, and Captain Henry Eidler, Criminal Information Division, be authorized to attend the P.O.S.T. Executive Development Course, conducted by California from June 9 to June 21, 1985, is hereby approved; and be it further

RESOLVED, that expenses for Captain Gray in the amount of $639.00, and for Captain Eidler $767.00, both for subsistence, will be reimbursed by P.O.S.T. The difference in cost is due to the fact that Captain Eidler will remain on campus during the middle weekend and Captain Gray will not.

AYES: Commissioners Toler, Nelder, Sanchez
ABSENT: Commissioners Daly, Hsieh

POLICE COMMISSION REPORT

No Report.

CHIEF'S REPORT TO THE POLICE COMMISSION

Commissioner Sanchez announced that the Police Commission met this day at 5 P.M. in Closed Session regarding Attorney-Client matter. No vote was taken.

ADOPTION OF REVISED INVESTIGATIVE HEARING RULES FOR THE OFFICE OF CITIZEN COMPLAINTS

RESOLUTION NO. 647-85

WHEREAS, in November, 1982, the residents of the City and County of San Francisco passed Proposition A, amending the Charter of the City and County of San Francisco and mandating the creation of the Office of Citizen Complaints; and

WHEREAS, said Charter Amendment calls for the convening of investigative hearings to be called by the Director of the Office of Citizen Complaints whenever such will facilitate the fact-finding process and pursuant to rules adopted by this Commission; and

WHEREAS, this Commission adopted Rules governing the operation of the Office of Citizen Complaints including the conduct of Investigative Hearing Rules so that they might be conformed with state law and otherwise clarified; and

WHEREAS, on December 10, 1984, the Director of the Office of Citizen Complaints directed questions dealing with those issues to the City Attorney's Office; and

WHEREAS, on February 1, 1985, City Attorney's Opinion 85-1 specifically dealing with those questions was issued; and

WHEREAS, on February 7, 1985, a set of proposed rules for the Investigative Hearing process was presented to The Police Commission for its consideration and made available to all other interested parties including the Police Officers' Association and Meet and Confer sessions were immediately set into motion; and

WHEREAS, on Thursday, March 21, 1985, the Director presented a draft to this Commission containing numerous changes and amendments which were the direct result of these Meet and Confer Sessions, and requested of this Commission that said Rules be adopted; and

WHEREAS, at the request of the American Civil Liberties Union, The San Francisco Association, and the San Francisco Police Officers' Association, the public hearing on the adoption of these Rules was continued to Thursday, March 28, 1985, to and including Thursday, June 6, 1985, so that they might be studied even further; and

WHEREAS, the Director promised to meet with each of these groups for the purpose of discussing further changes; and

WHEREAS, the Director did, in fact, meet with each of these groups; and

WHEREAS, The Police Commission, following lengthy public discussions during the Public Hearing on these Rules, has determined that these Rules fairly and accurately represent major changes as submitted by all interested parties; therefore be it

RESOLVED, The Police Commission of the City and County of San Francisco hereby adopt's these Revised Investigative Hearing Rules and Procedures; and be it further

RESOLVED, that insofar as the Investigative Hearing Rules which were adopted by this Commission on March 16, 1985 are inconsistent with the Revised Investigative Hearing rules just adopted, the prior Rules are modified.

AYES: Commissioners Toler, Nelder, Sanchez
ABSENT: Commissioners Daly, Hsieh

IMMEDIATE FILLING OF TWO (2) VACANT COMMANDER POSITIONS

RESOLUTION NO. 579-85

WHEREAS, two members of the San Francisco Police Department have retired from the positions of 0488 Commander, Police Department; and

WHEREAS, these retirements leave a severe gap in the top management of the San Francisco Police Department; and

WHEREAS, to fill these positions before the accumulated sick leave and vacation time are paid requires a resolution of the Board of Supervisors; and

WHEREAS, there will be sufficient funds appropriated to cover the cost of this procedure, effective July 1, 1985; therefore be it

RESOLVED, t hat The Police Commission does hereby request that the Mayor and the Director of Personnel of Civil Service recommend to the Board of Supervisors, the adoption of the attached resolution; and be it further

RESOLVED, the Police Commission request that the Board of Supervisors adopt the attached resolution authorizing the immediate filling, effective July 1, 1985, of the two vacancies of 0488 Commander, Police Department.

AYES: Commissioners Toler, Nelder, Sanchez
ABSENT: Commissioners Daly, Hsieh

REVISED - DEPARTMENT GENERAL ORDER NO. B-1 "PHYSICAL AGILITY STANDARDS AND PHYSICAL FITNESS STANDARDS" - APPROVED

RESOLUTION NO. 658-85

RESOLVED, that The Police Commission hereby adopts Revised Department General Order B-1, "Physical Agility Standards" and : Physical Fitness Standards".

AYES: Commissioners Toler, Nelder, Sanchez
ABSENT: Commissioners Daly, Hsieh

RECOMMENDATION OF THE CHIEF OF POLICE THAT THE POLICE COMMISSION ADOPT A RESOLUTION ESTABLISHING A FEE OF $3.00 FOR THE PERIOD JULY 1, 1985 TO JUNE 30, 1986, FOR EACH METALLIC TAXICAB MEDALLION ISSUED BY THE SAN FRANCISCO POLICE DEPARTMENT TO EVERY TAXICAB PERMIT HOLDER - APPROVED

RESOLUTION NO. 659-85

WHEREAS, The Police Commission is the authority, under Section 1135.2.1 of The Police Code, for the setting of the annual fee for metallic taxicab medallions; therefore be it

RESOLVED, that The Police Commission hereby establishes a fee of $3.00 for the period July 1, 1985 to June 30, 1986 for each metallic taxicab medallion issued by the San Francisco Police Department to every taxicab permit holder,

AYES: Commissioners Toler, Nelder, Sanchez
ABSENT: Commissioners Daly, Hsieh

NOTIFICATION AND FILING OF CHARGES AGAINST POLICE OFFICER RAOUL PONCE, NORTHERN STATION

RESOLUTION NO. 574-85

WHEREAS, charges of violating the Rules and Procedures of the San Francisco Police Department were filed against Police Officer Raoul Ponce, Northern Station, as follows:

SPECIFICATION NO. 1

Failure to comply with Department weight standards (violation of Section II, Subsection A-1 of General Order B-1 of the San Francisco Police Department).

by Cornelius P. Murphy, Chief of Police, San Francisco Police Department; therefore be it

RESOLVED, that the date for the setting of the disciplinary charges filed against Officer Raoul Ponce, Northern Station, is set for Thursday, June 13, 1985 at 5:30 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Toler, Nelder, Sanchez
ABSENT: Commissioners Daly, Hsieh

SETTING OF DATE FOR HEARING OF SERGEANT STEVEN T. SMITH, RICHMOND STATION

RESOLUTION NO. 576-85

WHEREAS, the date to be set for the hearing of the disciplinary charges filed against Sergeant Steven T. Smith, Richmond Station, was called it having been set for this date; and

WHEREAS, it was requested by Mr. Stephen F. Whitmore, Attorney at Law, Stephen Bruce Bley, Inc., representing Sergeant Steven T. Smith, that the date for the hearing before the Police Commission be set for July 25, 1985; therefore be it

RESOLVED, that the hearing of the disciplinary charges filed against Sergeant Steven T. Smith, Richmond Station, is set for Thursday, July 25, 1985 at 1730 hours in Room 551, Hall of Justice.

SETTING OF DATE FOR HEARING ON THE DISCIPLINARY CHARGES FILED AGAINST POLICE OFFICER DENNIS H. ALVARENGA, MISSION STATION

RESOLUTION NO. 575-85

WHEREAS, the setting of a date for the hearing on the disciplinary charges filed against Officer Dennis H. Alvarenga, Mission Station, was called it having been set for this date; and

WHEREAS, it was requested by Mr. Stephen F. Whitmore, Attorney at Law, Stephen Bruce Bley, Inc., representing Officer Dennis H. Alvarenga, that the date for the hearing before the Police Commission be set for July 18, 1985; therefore be it

RESOLVED, that the hearing of the disciplinary charges filed against Officer Dennis H. Alvarenga, Mission Station, is set for Thursday, July 18, 1985 at 1730 hours in Room 551, Hall of Justice.

AYES: Commissioners Toler, Nelder, Sanchez
ABSENT: Commissioners Daly, Hsieh

HEARING ON THE DISCIPLINARY CHARGES FILED AGAINST POLICE OFFICER ANTHONY J CARREON, TACTICAL DIVISION/DOG UNIT

Continued to June 13, 1985 for completion.

HEARING OF POLICE OFFICER JEAN J. POWERS, MISSION STATION

RESOLUTION NO. 577-85

The hearing of Police Officer Jean J. Powers, Mission Station, was called it having been set for this date. Police Officer Jean J. Powers was charged with violating the Rules and Procedures as follows:

SPECIFICATION NO. 1

Failure to make a written report of a serious crime which is brought to a member's attention while on duty (violation of Rule A--26 of General Order D-1 of the San Francisco Police Department).

and

WHEREAS, Chief of Police Cornelius P. Murphy requests that the charges be withdrawn and states that it will be handled administratively; therefore be it

RESOLVED, that charges filed against Police Officer Jean J. Powers, Mission Station, is continued off calender by order of the Police Commission.

AYES: Commissioners Toler, Nelder, Sanchez
ABSENT: Commissioners Daly, Hsieh

HEARING OF POLICE OFFICER JOSEPH J. ROBLES, POTRERO STATION

The hearing of Police Officer Joseph J. Robles, Potrero Station, was called it having been set for this date. Officer Joseph Robles, was charged with violating the Rules and Procedures as follows:

SPECIFICATION NO. 1

Engaging in conduct which tends to subvert the good order, efficiency or discipline of the Department (violation of Rule A-9 of General Order D-1 of the San Francisco Police Department).

in a properly verified complaint by Cornelius P. Murphy, Chief of Police of the San Francisco Police Department.

Officer Joseph Robles appeared in person and was represented by Mr. John Prentice, Attorney at Law.

Mr. Michael Gash, Attorney at Law, appeared as Prosecutor for the San Francisco Police Department.

An opening statement was made by Attorney Michael Gash, on behalf of the San Francisco Police Department.

An opening statement was made by Attorney John Prentice for the Defense. A plea of Guilty to the Charges was made by Attorney Prentice on behalf of his client Officer Joseph J. Robles.

(g) The juvenile suspect was handcuffed with his hands behind his back and was under the physical control of a San Francisco police officer;

(h) The accused ran up to the juvenile suspect who was handcuffed and under the physical control of another officer and struck the juvenile suspect in the face with a closed fist;

(i) By striking a juvenile suspect in the face with a closed fist while the suspect was handcuffed and under the physical control of another officer, the accused has engaged in conduct which tends to subvert the good order, efficiency, or discipline of the Departmemt and which reflects discredit upon the Department which constitutes a violation of Rule A-9 of General Order D-1 of the San Francisco Police Department, which states:

"Any breach of the peace, neglect of duty, misconduct or any conduct on the part of any member either within or without the state which tends to subvert the good order, efficiency or discipline of the Department or any member thereof or that is prejudicial to the efficiency and discipline of the Department, though such offenses are not specifically defined or laid down in these Rules and Procedures shall be considered unofficer-like conduct triable and punishable by the Board."

and

WHEREAS, a hearing on said Charges was had before the Police Commission pursuant to Section 8.343 of the Charter of the City and County of San Francisco on Thursday, June 6, 1985, and on Thursday, June 6, 1985, the matter was submitted to the Police Commission for decision; and

WHEREAS, The Police Commission finds that the allegations contained in Specification No. 1 as preferred by the Chief of Police against Officer Joseph J. Robles, are sustained by a plea of guilty, through his Attorney John Prentice; therefore be it

RESOLVED, that based on these findings, consistent with The Commission's duty to protect the health, safety and general welfare of the Citizens of the City and County of San Francisco and the public in general, and in order to promote efficiency and good discipline in the San Francisco Police Department, The Commission Orders that the following discipline be imposed:

SPECIFICATION NO. 1 [Penalty] 30 Days Suspension

and be it further

RESOLVED, that said suspension totaling 30 calendar days, is to be imposed commencing Thursday, June 13, 1985 at 0001 hours to and including Friday, July 12, 1985 at 2400 hours. Officer Robles will be retrained at the Police Academy in the area of "Use of Force" and the training is to be certified by his Commanding Officer and forwarded to The Police Commission Office.

(The entire proceedings were taken in Shorthand Form by Ms. Linda Pransky, CSR.)

Recess taken during the meeting of Officer Joseph Robles:

8:37 p.m. to 8:50 p.m.

AYES: Commissioners Toler, Nelder, Sanchez
ABSENT: Commissioners Daly, Hsieh

The following named witness was called by the Defense, was sworn and testified:

Officer Joseph J. Robles

The Charges against Officer Joseph Robles were then read into the record.

The Commission took the matter under submission, recessed and returned finding that the Charges in Specification No. 1 are sustained.

Based on those findings, The Commission requested a recommendation from the Chief of Police. It is the recommendation of the Chief that Officer Joseph Robles be suspended for 30 days and that he be retrained at the Police Academy on the "Use of Force".

The Commission again took the matter under submission, and the following resolution was adopted:

RESOLUTION NO. 578-85

DECISION - HEARING OF OFFICER JOSEPH J. ROBLES, POTRERO STATION

WHEREAS, on May 2, 1985, Chief of Police Cornelius P. Murphy made and served charges against Police Officer Joseph J. Robles, Potrero Station, as follows:

SPECIFICATION NO. 1

Engaging in conduct which tends to subvert the good order, efficiency or discipline of the Department or which discredit upon the Department (violation of Rule A-9 of General Order D-1 of the San Francisco Police Department).

(a) At all times herein mentioned, Joseph J. Robles, Star 874, was and is a peace officer employed by the San Francisco Police Department. Officer Robles is assigned to the Golden Gate Division/Potrero Station;

(b) As a police officer, Officer Robles (hereinafter, the accused) was and is responsible for knowing and obeying the Rules, Orders and Procedures of the San Francisco Police Department;

(c) On or about April 29, 1985, at approximately 1900 hours, the accused while on duty on patrol, on-viewed and arrested four burglary suspects at Third and Cargo Streets;

(d) The four burglary suspects were transported to the Hall of Justice, Room 475 to be processed as juveniles;

(e) The accused removed the handcuffs from one of the juvenile suspects to complete the pre-booking process. The juvenile fled custody and was able to exit the Hall of Justice by jumping from a second story window;

(f) The juvenile suspect was found hiding in the bushes on the grounds of the Hall of Justice and taken into custody by another officer;

THE MEETING WAS THEN ADJOURNED AT 9:02 P.M.

Willie E. Frazier

Lieutenant Willie E. Frazier
Secretary
THE POLICE COMMISSION

JUNE 13, 1985 SPECIAL MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 512, Hall of Justice, 850 Bryant Street, on Thursday, June 13, 1985, at 1700 hours in a Special Meeting in Closed Session.

PRESENT: Commissioners Toler, Daly, Hsieh, Nelder, Sanchez

Commissioner Sanchez presiding.

1. Attorney-Client Conference

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JUNE 13, 1985 REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Thursday, June 13, 1985, at 1730 hours in a Regular Meeting.

PRESENT: Commissioners Toler, Daly, Hsieh, Nelder, Sanchez

Commissioner Sanchez presiding.

APPROVAL OF MINUTES OF THE MEETING OF MAY 9, 1985

Approval of Minutes of the Meeting of May 9, 1985. The Commissioners having received, approved and returned copies of same.

APPROVAL OF CONSENT CALENDAR

Recommendation of the City Attorney for settlement of the following claims against the City and County of San Francisco:

RESOLUTION NO. 648-85

LISA BERNARDI vs. CITY & COUNTY OF SAN FRANCISCO

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Lisa Bernardi in the amount of $9,970.99 in Superior Court No. 794-456 entilted, "Lisa Bernardi vs. City & County of San Francisco, et al.", as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: January 5, 1982

AYES: Commissioners Daly, Toler, Hsieh, Nelder, Sanchez

RESOLUTION NO. 660-85

QUENTIN EARL HOWARD

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Quentin E. Howard in the amount of $232.00 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: March 22, 1979

AYES: Commissioners Daly, Toler, Hsieh, Nelder, Sanchez

RESOLUTION NO. 663-85

TITO I. VILLALOBOS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Tito I. Villalobos in the amount of $135.00 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: December 2, 1984

AYES: COmmissioners Daly, Toler, Hsieh, Nelder, Sanchez

RESOLUTION NO. 664-85

LARRY LEE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Larry Lee in the amount of $212.93 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: December 26, 1984

AYES: Commissioners Daly, Toler, Hsieh, Nelder, Sanchez

RESOLUTION NO. 665-85

CHARLES L. WOOD

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Charles L. Wood in the sum of $408.76 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: November 30, 1984

AYES: Commissioners Daly, Toler, Hsieh, Nelder, Sanchez

RESOLUTION NO. 649-85

E. THOMAS ALTIZER vs. CITY & COUNTY OF SAN FRANCISCO

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of E. Thomas Altizer in the amount of $10,809.00 in Superior Court No. 761-817, entitled "E. Thomas Altizer vs. City & County of San Francisco," as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: March 22, 1979

AYES: Commissioners Daly, Toler, Hsieh, Nelder, Sanchez

RESOLUTION NO. 650-85

BARBARA LEVINE vs. CITY & COUNTY OF SAN FRANCISCO

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Barbara Levine in the amount of $5,355.90 in Superior Court No. 763-155, entitled "Barbara Levine vs. City & County of San Francisco", as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: May 21, 1979

AYES: Commissioners Daly, Toler, Hsieh, Nelder, Sanchez

RESOLUTION NO. 651-85

JOSEPH L. VALERIO vs. CITY & COUNTY OF SAN FRANCISCO

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Joseph L. Valerio in the amount of $8,500.00 in Superior Court No. 783-516, entitled "Joseph L. Valerio vs. City & County of San Francisco" as the result of damages sustained, be, and the same is hereby denied.

Date of Incident: November 1, 1980

AYES: Commissioners Daly, Toler, Hsieh, Nelder, Sanchez

RESOLUTION NO. 652-85

TROY ALLEN URIBE vs. CITY & COUNTY OF SAN FRANCISCO

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Troy Allen Uribe in the amount of $25.500.00 in United States District Court No. C82-2545 RHS, entitled "Troy Allen Uribe vs. City and County of San Francisco", as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: June 19, 1981

AYES: Commissioners Daly, Toler, Hsieh, Nelder, Sanchez

RESOLUTION NO. 668-85

APPROVAL OF TRAVELING EXPENSE VOUCHER SUBMITTED BY INSPECTOR DAVID KELLOG, INTELLIGENCE DIVISION, FOR EXPENSES IN THE AMOUNT OF $180.00 FOR INCURRED IN ATTENDING THE LABOR RELATIONS SEMINAR IN VENTURA, ON MAY 3, 1985.

RESOLVED, that the Traveling Expense Voucher submitted by the following named member of the Police Department for expenses incurred in attending the below indicated program, be, and the same is hereby approved.

Inspector David Kellogg (Labor Relations Seminar
(Ventura, CA
(5/3/85
($180.00

AYES: Commissioners Daly, Toler, Hsieh, Nelder, Sanchez

RESOLUTION NO. 667-85

APPROVAL OF TRAVELING EXPENSE VOUCHERS SUBMITTED BY INSPECTOR ARMAND GORDON AND INSPECTOR DONNIE HANSEN, GENERAL WORKS DETAIL, IN THE AMOUNT OF $349.65 EACH FOR EXPENSES INCURRED IN ATTENDING THE COMPUTER CRIMES COURSE, IN SACRAMENTO, FROM APRIL 22, 1985 TO APRIL 26, 1985.

RESOLVED, that the Traveling Expense Vouchers submitted by the following named members of the Police Department for expenses incurred in attending the below indicated program, be, and the same are hereby approved.

Inspector Armand Gordon (Computer Crimes
Inspector Donnie Hansen (Sacramento, CA
(4/22/85 - 4/26/85
($349.65 each

AYES: Commissioners Daly, Toler, Hsieh, Nelder, Sanchez

RESOLUTION NO. 666-85

RECOMMENDATION OF THE CHIEF OF POLICE THAT OFFICERS JAMES DEELY AND KITT CRENSHAW, NARCOTICS SECTION, BE AUTHORIZED TO ATTEND THE NARCOTICS INVESTIGATION COURSE CONDUCT, CONDUCTED BY THE CALIFORNIA DEPARTMENT OF JUSTICE IN SACRAMENTO, FROM JUNE 16th TO JUNE 28, 1985

RESOLVED, that the recommendation of the Chief of Police that Officers James Deely and Kitt Crenshaw, Narcotics Section, be authorized to attend the Narcotics Investigation Course, conducted by the California Department of Justice in Sacramento, California from June 16 to June 28, 1985, is hereby approved; and be it further

RESOLVED, that expenses in the amount of $731.65 each for subsistence and travel will be reimbursed by P.O.S.T. P.O.S.T. will also reimburse the Department for 70% of these members salary while they are attending this course.

AYES: Commissioners Daly, Toler, Hsieh, Nelder, Sanchez

POLICE COMMISSION REPORT

Commissioner Daly said that she had two items, one, the incident on the 24th Muni Railway Bus on Divisadero Street at 2:00 AM. She said the PUC added this to their agenda because the bus driver hit a silent alarm at 2:02; a witness who heard everything happen to dial 911 at 2:03; at 2:06, the Police Department received Muni's call and about 8 minutes elapsed before any car was dispatched. She said the Officers who didi arrive, arrived in 2 minutes and 7 seconds coming from 18th and Mission and three more cars arrived within the next 60 seconds. She said it is unfortunate that it was an hour and an half before the ambulance came. She said the question she had and really needed an answer to is if there was that 8 minute lapse of time what would cause such a lapse?

Chief Murphy said at this point in time he would not know but he was aware of it happening and an investigation is being conducted right now to determine the cause.

Commissioner Daly said that the second thing is that the UC Regents will be meeting at the UC Extension. She said the Department will be blocking off streets in the neighborhood and wondered if Community Relations was doing anything to alert the people in the neighborhood in that they may not be able to get to their homes by automobile.

Chief Murphy in responding said there is going to be some disruption and the street closings will be posted advising the neighborhood of this at least 24 hours in advance. He said he would see that the Community Relations does in fact go out and contact those residents and students.

CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Murphy said that he just wanted to briefly advise The Commission that the Calveras County cases and the Task Force in San Francisco is expanding somewhat now.

He said they are meeting with Calvaras County, Humboldt County, Mendocino County and now the FBI has joined in because of the unlawful flight. He said so the investigation is proceeding and coordination is working very well and there does not seen to be any problems. He said it is just a significant effort both to the coordination and disimination of information.

RESOLUTION NO. 653-85

REQUEST OF POLICE OFFICER LUCIO A. PEREZ, MISSION STATION, TO ACCEPT A GIFT OF $100.00 CASH

RESOLVED, that the request of Police Officer Luciuo A. Perez, Mission Station, to accept a gift in the amount of $100 Cash for being selected by the Mission Kiwanis Club as "Police Officer of The Year," be, and the same is hereby approved.

AYES: Commissioners Daly, Toler,Hsieh, Nelder, Sanchez

DISCUSSION ON ESTABLISHMENT OF PROCEDURES FOR ISSUANCE OF AN "HONORABLY RETIRED CERTIFICATE" FOR MEMBERS RETIRING FROM THE SAN FRANCISCO POLICE DEPARTMENT

Deputy Chief Mullen advised The Commission as to how the current system works and stated that the only time someone may not receive a certificate is when they retire for disability but most others are presented with the certificate and there is a current list of retirees in the Chief's Office that would attest to this fact.

Commissioner Nelder said the issue came to The Commission because of a letter and some statements made to him that only the visible people receive some sort of notification. He said the administration will recall that at that particular time he had requested that a letter be sent to both Commanders D'Arcy and Canepa for their many years of faithful, dilligent and professional service to the City and the Department. He said this person who had sent him the letter regarding this issue had said the things that he Commissioner Nelder are saying now. He said, so, it seemed to him that it would be very much in order for somebody who has served faithfully for his period of time to receive some memento from The Department for this service. He said the certificate that is now before The Commission is very acceptable, however the only modification he would make, if his fellow Commissioners agree, is that he felt that in addition to the Chief's signature it should bare the Commissioners signatures as well. He said he also felt that when it is given that is should be framed so that the retiree could place it here he would want to place it. He said he would also suggest that if the party retiring desired to do so, he could appear here before The Commission and he be told that his efforts are appreciated and that the certificate be presented to him at that time by the Chief and The Commission.

Chief Murphy said this procedure varies from case to case that some officers do in fact come to his office and it is presented to them there.

Commissioner Nelder said that was fine but they should be afforded the option to come before The Commission and they would be allowed to say some thing if they desired and photos could also be taken at that time. He said he would make the motion that this current certificate become the official retirement certificate for the San Francisco Police Department for members retiring from The Department which would additionally bare the signatures of The Commissioners and be framed and a formal presentation be made here at a Police Commission Meeting unless the Officer choses otherwise. This motion was then seconded by Commissioner Toler and unanimously approved.

RESOLUTION NO. 661-85

DISCUSSION ON ESTABLISHMENT OF PROCEDURES FOR ISSUANCE OF AN "HONORABLY RETIRED CERTIFICATE" FOR MEMBERS RETIRING FROM THE SAN FRANCISCO POLICE DEPARTMENT

RESOLVED, that the currently titled "Honorably Retired Certificate:" for those members retiring from service from the San Francisco Police Department be and the same and is hereby approved, and be it further

RESOLVED, that said certificate be amended to include not only the Chief's signature but current and future Police Commissioners' signatures, and be it further

RESOLVED, that said certificate be appropriately framed and a formal presentation be made to the retiring Officer at a Police Commission meeting, unless the retiree chooses otherwise.

AYES: Commissioners Daly, Toler, Hsieh, Nelder, Sanchez

RESOLUTION NO. 656-86

SETTING OF DATE FOR HEARING ON THE DISCIPLINARY CHARGES FILED AGAINST POLICE OFFICER RAOUL PONCE, NORTHERN STATION

WHEREAS, the date to be set for hearing of the disciplinary charges filed against Police Officer Raoul Ponce, Northern Station, was called it having been set for this date; and

WHEREAS, it was requested by Mr. Jerry W. Akins, Attorney at Law, representing the San Francisco Police Department, that the date for the hearing before The Police Commission be set for June 20, 1985; therefore be it

RESOLVED, that the hearing of the disciplinary charges filed against Police Officer Raoul Ponce, Northern Station, set for Thursday, June 20, 1985 at 1730 hours in Room 551, Hall of Justice.

AYES: Commissioners Daly, Toler, Hsieh, Nelder, Sanchez

RESOLUTION NO. 656-85

SETTING OF DATE FOR HEARING ON THE DISCIPLINARY CHARGES FILED AGAINST POLICE OFFICER RAOUL PONCE, NORTHERN STATION

WHEREAS, the date to be set for the hearing of the disciplinary charges filed against Police Officer Raoul Ponce, Northern Station , was called it having been set for this date; and

WHEREAS, it was requested by Mr. Jerry W. Akins, Attorney at Law, representing the San Francisco Police Department, that the date for the hearing before the Police Commission be set for June 20, 1985; therefore be it

RESOLVED, that the hearing of the disciplinary charges filed against Police Officer Raoul Ponce, Northern Station, is set for Thursday, June 20, 1985 at 1730 hours in Room 551, Hall of Justice.

AYES: Commissioners Daly, Toler, Hsieh, Nelder, Sanchez

STATUS REPORT ON POLICE OFFICER DENIS P. JOYCE, NORTHERN STATION

Commissioner Hsieh said he would like to comment about this situation in that he has stated several times before that that the weight problems today are no longer simple. He said many times it involves a person having to acquire professional help to correct his situation. He continued by saying The Department has gone ahead in the past and developed programs for people who have chemical dependence problems which have shown a great deal of success. He said the case now before The Commission indicates The Department has to initiate another program to make sure that people who develop excess weight on a continued basis with no improvement should have a program to help the Officers also. He said, as shown here, Officer Joyce started with a simple overweight problem and now it is compounded with high blood pressure. He said his suggestion to The Commission at this time is to make sure that Officer Joyce seeks out an accreditable medical eating disorder treatment program along the same lines as the Department's current chemical dependency type of programs. Give him a time frame of some two months or whatever the time that the current program calls for and then after that make sure that his problem can be corrected by some type of medical certification and in the meantime the Department can initiate a program comparative to the chemical dependency programs now in use as an on-going program to help overweight Officers with similar type problems in the future.

Chief Murphy said he did not feel it is the department's responsibility to develop this kind of program as it is the Officer's responsibilty. He said Officers come into The Department under these guidelines and if they can't meet them then so be it.

The Commission then heard from Mr. Gash, Attorney for the Legal Office and then from Mr. Bob Barry, President of the San Francisco Police Officers Association, and the Officer's representative and the Commission thereafter adjourned and reconvened adopting the Following Resolution:

RESOLUTION NO. 657-85

STATUS REPORT IN THE MATTER OF POLICE OFFICER DENIS P. JOYCE, NORTHERN STATION

WHEREAS, on April 18, 1985, the Police Commission in Resolution No. 484-85 ordered that Police Officer Denis P. Joyce, Northern Station, had violated Specification No. 1, Section II, Subsection A-1 of General Order B-1 of the San Francisco Police Department and because of said violation, the Police Commission felt that he should be given forty five (45) calendar days to lose six pounds; and

WHEREAS, if Officer Denis Joyce failed to lose the six pounds within the said 45-day period, he shall be brought back before the Police Commission and suspended for 20 days, previously held in abeyance, as written in Resolution No. 484-85; and

WHEREAS, it was brought to the attention of the Police Commission that Officer Joyce had failed to comply with the order of the Police Commission as written in Resolution No. 484-85; therefore be it

RESOLVED, that it is the order of the Police Commission that Police Officer Denis Joyce, Northern Station, be suspended for twenty (20) calendar days commencing on July 17, 1985 at 0001 hours and ending on August 5, 1985 at 2400 hours.

RESOLUTION NO. 654-85

HEARING OF POLICE OFFICER RICHARD K. MONTERO, MISSION STATION (CONTINUED TO JULY 11, 1985)

WHEREAS, the date set for the hearing of the disciplinary charges filed against Police Officer Richard Montero, Mission Station, was called it having been set for this date; and

WHEREAS, it was requested by Mr. Jerry W. Akins, Attorney at Law, representing the San Francisco Police Department, that the date for the hearing before The Police Commission be continued to July 11, 1985; therefore be it

RESOLVED, that the hearing of the disciplinary charges filed against Police Officer Richard Montero, Mission Station, is continued to Thursday, July 11, 1985 at 1730 hours in Room 551, Hall of Justice.

AYES: Commissioners Daly, Toler, Hsieh, Nelder, Sanchez

RESOLUTION NO. 655-85

HEARING OF POLICE OFFICER DAVID OBERHOFFER, MISSION STATION (Continued to July 11, 1985)

WHEREAS, the date set for the hearing of the disciplinary charges filed against Police Officer David Oberhoffer, Mission Station, was called it having been set for this date; and

WHEREAS, it was requested by Mr. Jerry W. Akins, Attorney for Law, representing the San Francisco Police Department, that the date for the hearing before The Police Commission be continued to July 11, 1985; therefore be it

RESOLVED, that the hearing of the disciplinary charges filed against Police Officer David Oberhoffer, Mission Station, is continued to Thursday, July 11, 1985 at 1730 hours in Room 551, Hall of Justice.

AYES: Commissioners Daly, Toler, Hsieh, Nelder, Sanchez

HEARING OF POLICE OFFICER ANTHONY J. CARREON, TACTICAL DIVISION/DOG UNIT (CONTINUED FROM MEETING OF JUNE 6, 1985)

The hearing of Police Officer Anthony J. Carreon, Tactical Division/Dog Unit, was called it having been continued from the Meeting of June 6, 1985.

Police Officer Anthony J. Carreon appeared in person and was represented by Attorney Stephen F. Whitmore of Bley & Bley Attorneys.

Mr. Jerry Akins, Attorney at Law, appeared as Prosecutor for the San Francisco Police Department.

An opening statement was made by Attorney Stephen Whitmore, for the Defense

Officer Anthony J. Carreon, was called by the Defense, was sworn and testified. After giving testimony, Officer Carreon made a plea of Guilty to both Charges.

The Commission took the matter under submission, recessed and returned, finding that Charge No. 1 and Charge No. 2, are sustained.

Based on those findings, The Commission requested a recommendation from Chief of Police Cornelius P. Murphy. It is the recommendation of the Chief of Police that Officer Anthony J. Carreon be suspended for 30 days for Charge No. 1, and that the penalty for Charge No. 1 be imposed. 30 days suspension for Charge No. 2, and that the penalty for Charge No. 2 be held in abeyance for two (2) years provided that Officer Anthony Carreon successfully completes the Alternative to Punishment Program as prescribed in Department General Order D-4, and that he complies with the Order, Rules and Procedures of the San Francisco Police Department during the two year period.

The Commission again took the matter under submission and the following resolution was adopted:

RESOLUTION NO. 662-85

DECISION - HEARING OF POLICE OFFICER ANTHONY J. CARREON, TACTICAL DIVISION/DOG UNIT

WHEREAS, on February 8, 1985, Cornelius P. Murphy, Chief of Police of the San Francisco Police Department, made and served charges against Police Officer Anthony J. Carreon, Tactical Division/Dog Unit as follows:

CHARGE NO. 1

Failure to maintain himself in a fit condition to perform police duties while off duty and carrying a firearm (violation of Rule A-3 of General Order D-1 of the San Francisco Police Department);

(a) At all times mentioned, Anthony J. Carreon, Star 355 (hereinafter referred to as "the accused"), was and is a police officer employed by the San Francisco Police Department and currently assigned to the Tactical Division's Dog Unit;

(b) As a police officer, the accused is responsible for knowing and obeying the Rules, Orders, and Procedures of the San Francisco Police Department;

(c) At or about 0230 hours on January 15, 1985, the accused was off duty and armed with a handgun in his personal vehicle at or near the intersection of O'Farrell and Jones Streets in San Francisco;

(d) While at Jones and O'Farrell Streets, the accused permitted a female to enter his vehicle;

(e) After the female entered the vehicle, the accused drove off and told the female passenger that he was a police officer and that he wanted her to help him make a "whore bust";

(f) The passenger observed that the accused was armed with a firearm and that the accused appeared to be intoxicated and was driving erratically;

(g) On January 15, 1985, the accused was interview-ed interviewed by his commanding officer, Captain Charles Beene, regarding the female passenger's allegations;

(h) In the course of the interview, the accused admitted being intoxicated and armed with his off-duty pistol while the female passenger was present in his vehicle and while he was driving in the area of O'Farrell and Jones Streets;

(i) By being intoxicated while off duty, carrying a firearm, and driving a vehicle in an unsafe manner, the accused violated Rule A-3 of General Order D-1 of the San Francisco Police Department, which states:

"Officers shall, while carrying a firearm off-duty or while acting in the capacity of a peace officer, maintain themselves in a fit condition to perform police duties."

CHARGE NO. 2

Engaging in conduct which tends to subvert the good order, efficiency or discipline of the Department or which reflects discredit upon the Department (violationof Rule A-9 of General Order D-1 of the San Francisco Police Department).

(a) At all times herein mentioned, Anthony J. Carreon, Star 355 (hereinafter referred to as "the accused"), was and is a police officer employed by the San Francisco Police Depart-ment and currently assigned to the Tactical Division's Dog Unit;

(b) As a police officer, the accused is responsible for knowing and obeying the Rules, Orders and Procedures of the San Francisco Police Depart-ment;

(c) At or about 0230 hours on January 15, 1985, the accused was off duty and armed with a hand-gun in his personal vehicle at or near the intersection of O'Farrell and Jones Streets in San Francisco;

(d) While at Jones and O'Farrell Streets, the accused permitted a female to enter his vehicle;

(e) After the female entered the vehicle, the accused drove off and told the female passenger that he was a police officer and that the wanted her to help him make a "whore bust";

(f) The passenger observed that the accused was armed with a firearm and that the accused appeared to be intoxicated, and was driving erratically;

(g) On January 15, 1985, the accused was interviewed by his commanding officer, Captain Charles Beene regarding the female passenger's allegations;

(h) In the course of the interview, the accused admitted being intoxicated and armed with his off-duty pistol while the female passenger was present in his vehicle and while he was driving his vehicle in the area of O'Farrell and Jones Streets;

(i) By failing to maintain himself in a fit condition to perform police duties while off-duty and carrying a firearm, the accused has engaged in conduct which tends to subvert the good order, efficiency, or discipline of the Department and which reflects discredit upon the Department which constitutes a violation of Rule A-9 of General Order D-1 of the San Francisco Police Department, which states:

"Any breach of the peace, neglect of duty, misconduct or any conduct on the part of any member either within or without the state which tends to subvert the good order, efficiency or discipline of the Department or which reflects discredit upon the Department or any member thereof
or that is prejudicial to the efficiency and discipline of the Department, though such offenses are not specifically defined or laid down in these Rules and Procedures, shall be considered unofficer-like conduct triable and punishable by the Board."

and

WHEREAS, a hearing on said Charges was had before The Police Commission pursuant to Section 8.343 of the Charter of the City and County of San Francisco on Thursday, June 6, 1985 and Thursday, June 13, 1985, and on Thursday, June 13, 1985, the matter was submitted to The Police Commission for decision; and

WHEREAS, The Police Commission finds that the allegations contained in Charge No. 1, violation of Rule A-3 and Charge No.2, violation of Rule A-9 of General Order D-1 of the San Francisco Police Department, as preferred by the Chief of Police against Police Officer Anthony J. Carreon, are sustained; therefore be it

RESOLVED, that based on these findings consistent with The Commission's duty to protect the health, safety and general welfare of the citizens of the City and County of San Francisco and the public in general, and in order to promote efficiency and good discipline in the San Francisco Police Department, The Commission orders that the following discipline be imposed:

Charge No. 1 [penalty] 30 days suspension
Charge No. 2 [penalty] 30 days suspension

and be it further;

RESOLVED, that Officer Carreon be suspended for 30 calendar days for Charge No. 1, and 30 calendar days suspension for Charge No. 2, which is to be held in abeyance for two (2) years as The Commission approves Officer Anthony Carreon's application for the Alternative to Punishment Program set forth in Rule VIII of General Order D-4 of the San Francisco Police Department.

Officer Carreon shall serve 30 calendar days suspension commencing Friday, June 14, 1985 at 0001 hours and ending on Friday, July 13, 1985 at 2400 hours, and shall complete the Program prescribed by the Diversion Eligibility Committee and shall comply with the Rules and Procedures of the San Francisco Police Department during the two year period.

AYES: Commissioners Toler, Hsieh, Nelder, Sanchez
ABSENT: Commissioner Daly

Recess taken during the Hearing of Officer Carreon:

7:50 p.m. to 7:53 p.m.

(The entire proceedings were taken in Shorthand Form by Ms. Linda Pransky, CSR.)

THE MEETING WAS THEN ADJOURNED AT 7:56 P.M.

Willie E. Frazier

LIEUTENANT WILLIE E. FRAZIER
SECRETARY
THE POLICE COMMISSION

JUNE 20, 1985 SPECIAL MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 512, Hall of Justice, 850 Bryant Street, on Thursday, June 20, 1985, at 1700 hours in a Special Meeting in Closed Session.

PRESENT: Commissioners Daly, Toler, Hsieh, Sanchez
ABSENT: Commissioner Nelder

Commissioner Sanchez presiding.

1. Attorney-Client Conference

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JUNE 20, 1985 REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Thursday, June 20, 1985, at 1700 hours in a Regular Meeting.

PRESENT: Commissioners Daly, Toler, Hsieh, Sanchez
ABSENT: Commissioner Nelder

APPROVAL OF MINUTES OF THE MEETING OF MAY 16, 1985

Approval of Minutes of the Meeting of May 16, 1985. The Commissioners having received, approved and returned copies of same.

APPROVAL OF CONSENT CALENDER

Recommendation of the City Attorney for settlement of the following claims against the City and County of San Francisco:

RESOLUTION NO. 676-85

JOHN B. ANDREWS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of John B. Andrews in the sum of $800.00 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: March 31, 1984

AYES: Commissioners Daly, Toler, Hsieh, Sanchez
ABSENT: Commissioner Nelder

RESOLUTION NO. 677-85

CALIFORNIA CASUALTY INSURANCE (CAROLE RYKEN)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of California Casualty Insurance (Carole Ryken) in the sum of $570.33 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: May 23, 1984

AYES: Commissioners Daly, Toler, Hsieh, Sanchez
ABSENT: Commssioner Nelder

RESOLUTION NO. 678-85

LARRY & HELEN M.Y. LEE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Larry & Helen M.Y. Lee in the sum of $212.93 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: December 26, 1984

AYES: Commissioners Daly, Toler, Hsieh, Sanchez
ABSENT: Commissioner Nelder

RESOLUTION NO. 679-85

DONALD C. WIEDMAN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Donald C. Wiedman in the sum of $100.00 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: February 25, 1985

AYES: Commissioners Daly, Toler, Hsieh, Sanchez
ABSENT: Commissioner Nelder

RESOLUTION NO. 680-85

REGINA DELANEY

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Regina Delaney in the sum of $99.05 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: April 4, 1985

AYES: Commissioners Daly, Toler, Hsieh, Sanchez
ABSENT: Commissioner Nelder

RESOLUTION NO. 681-85

BARBARA AMAN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Carol Davis in the sum of $76.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 2, 1985

AYES: Commissioners Daly, Toler, Hsieh, Sanchez
ABSENT: Commissioner Nelder

RESOLUTION NO. 683-85

IRA SPARER

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Ira Sparer in the sum of $76.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: April 3, 1985

AYES: Commissioners Daly, Toler, Hsieh, Sanchez
ABSENT: Commissioner Nelder

RESOLUTION NO. 684-85

JOHN M. REGENT

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of John M. Regent in the sum of $76.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: January 20, 1985

AYES: Commissioners Daly, Toler, Hsieh, Sanchez
ABSENT: Commissioner Sanchez

RESOLUTION NO. 685-85

PETER P. WONG

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Peter P. Wong in the sum of $64.75 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 28, 1985

AYES: Commissioners Daly, Toler, Hsieh, Sanchez
ABSENT: Commissioner Nelder

RESOLUTION NO. 686-85

JACK O. TOLBERT & SHIRLEY A. BELL

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Jack O. Tolbert & Shirley A. Bell in the sum of $63.90 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: February 14, 1985

AYES: Commissioners Daly, Toler, Hsieh, Sanchez
ABSENT: Commissioner Nelder

RESOLUTION NO. 687-85

MARINA YUI

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Marina Yui in the sum of $60.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 25, 1984

AYES: Commissioners Daly, Toler, Hsieh, Sanchez
ABSENT: Commissioners Nelder

RESOLUTION NO. 688-85

CLAY W. SCOTT

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Clay W. Scott in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: February 1, 1985

AYES: Commissioners Daly, Toler, Hsieh, Sanchez
ABSENT: Commissioner Nelder

POLICE COMMISSION REPORT

Commissioner Sanchez at this time said that he would like to request that Deputy Chief Mullen through the Public Affairs Officer put out a News Release thanking all of the School Safety Patrol youngsters and the Senior Cross Walk Guards and school kids of the City for having another year at the close of school without any major injuries or accidents and/or facalities. He said he felt they have done an excellent job. He continued by saying even though there were ceremonies in May of this year at the Polo Fields honoring the School Safety Patrol he is of the opinion that the San Francisco Police Department should acknowledge the fact that school has closed, summer is here, and people should be just as safety aware pertaining to youngsters running out into the Streets or playing ball in the streets or whatever, however, he said everyone did a fantastic job this post school year and thankgod there were no deaths.

CHIEF'S REPORT TO THE POLICE COMMISSION

Deputy Chief Mullen who was sitting in for Chief of Police Cornelius Murphy advised The Commission that there is no Chief's report tonight.

RESOLUTION NO. 669-85

REQUEST OF THE CHIEF OF POLICE FOR A SUPPLEMENTAL APPROPRIATION AMOUNTING TO $531,633 FOR PERMANENT SALARIES/UNIFORM AND $489,102 FOR MANDATORY FRINGE BENEFITS

RESOLVED, that The Police Commission hereby approves the Supplemental Appropriation Request amounting to $1,020,735. This request will provide for an additional $531,633 for Permanent Salaries-Uniform and $489,102 for Mandatory Fringe Benefits. The funding source will be "any legally available funds." This request is for Fiscal Year 1985-86.

AYES: Commissioners Daly, Toler, Hsieh, Sanchez
ABSENT: Commissioner Nelder

RESOLUTION NO. 671-85

POLICE OFFICER DAVID L. LEUNG, MISSION STATION

WHEREAS, on Wednesday, June 12, 1985, Chief of Police Cornelius P. Murphy, made and served charges against Police Officer David L. Leung, Mission Station, as follows:

SPECIFICATION NO. 1

Engaging in conduct which subverts the good order, efficiency and discipline of The Department and which reflects discredit upon The Department (violation of Rule A-9 of General Order D-1 of the San Francisco Police Department).

and

WHEREAS, The Police Commission set Thursday, June 20, 1985 as the date for the Notification and Filing of the Charges against Police Officer David L. Leung; and

WHEREAS, Chief of Police Cornelius P. Murphy announced that The Police Department was in receipt of the resignation of Police Officer David L. Leung from the San Francisco Police Department; said resignation effective Tuesday, June 18, 1985, which resignation was accepted with the condition that the services of Police Officer David L. Leung have been unsatisfactory and that he does not resign in good standing; therefore be it

RESOLVED, that the charges of violating the Rules and Procedures of the San Francisco Police Department filed against Police Officer David L. Leung, be, and the same are hereby continued off calendar.

AYES: Commissioners Daly, Toler, Hsieh, Sanchez
ABSENT: Commissioner Nelder

RESOLUTION NO. 673-85

HEARING OF PATROL SPECIAL OFFICER KUNG MING CHIU, CENTRAL POLICE DISTRICT

WHEREAS, the date set for the hearing of the disciplinary charges filed against Patrol Special Officer Kung Ming Chiu, Central Police District, is set for Thursday, August 1, 1985 at 1730 hours in Room 551, Hall of Justice.

AYES: Commissioners Daly, Toler, Hsieh, Sanchez
ABSENT: Commissioner Nelder

RESOLUTION OF POLICE OFFICER MICHAEL KENNY, VICE CRIMES/NARCOTICS

WHEREAS, the date set for the hearing of the disciplinary charges filed against Police Officer Michael Kenny, Vice Crimes Division/Narcotics, was called it having been set for this date; and

WHEREAS, it was requested by Mr. Michael E. Gash, Attorney at Law, representing the San Francisco Police Department, that the date for the hearing before the Police Commission be continued to August 8, 1985; therefore be it

RESOLVED, that the hearing of the disciplinary charges filed against Police Officer Michael Kenny, Vice Crimes/Narcotics, is set for Thursday, August 8, 1985 at 1730 hours in Room 551, Hall of Justice.

AYES: Commissioners Daly, Toler, Hsieh, Sanchez
ABSENT: Commissioner Nelder

RESOLUTION NO. 675-85

HEARING OF POLICE OFFICE KENNETH H. FOSTER, PATROL BUREAU TASK FORCE

WHEREAS, the date set for the hearing of the disciplinary charges filed against Police Officer Kenneth H. Foster, Patrol Bureau Task Force, was called it having been set for this date; and

WHEREAS, it was requested by Mr. Michael E. Gash, Attorney at Law, representing the San Francisco Police Department, that the date for the hearing before the Police Commission be continued to August 8, 1985; therefore be it

RESOLVED, that the hearing of the disciplinary charges filed against Police Office Kenneth Foster, Patrol Bureau Task Force, is set for Thursday, August 8, 1985 at 1730 hours in Room 551, Hall of Justice.

AYES: Commissioners Daly, Toler, Hsieh, Sanchez
ABSENT: Commissioner Nelder

HEARING OF THE DISCIPLINARY CHARGES FILED AGAINST POLICE OFFICER RAOUL PONCE, NORTHERN STATION

Mr. Jerry Akins, Attorney for the Department advised The Commission that the Charges against this Officer were on tonight for notification, however last week, he said, Officer Ramos and his representative Officer Ed Garcia mentioned to the Chief and possibly to one or two of The Commissioners that rather than postpone it any further go with it tonight and enter a plea of guilty and join the D-4 Program. He said Officer Ramos appeared before The Commissioners about a month ago and at that time he how did not feel that he had an alcohol problem but since then he has enrolled in a program and is participating now. Mr. Akins said he believes the Chief feels that this is the way to proceed. He continued by saying that with The Commission's permission instead of considering it as a Notification that the Department would proceed as though it had been scheduled for hearing.

Commissioner Daly then asked if there were more charges other than what had been presented tonight against this Officer?

Mr. Akins said there were none that he was aware of.

Officer Ramos' Representative then said that there were other matters being investigated and they have, at Chief's recommendation, asked that all of the charges be consolidated.

Commissioner Daly said that it was her understanding that The Commission was going to consider that all of the incidents which are under investigation and forth coming would be heard all at once but as individual cases so that The Commission could get a clear picture of the Officer 's problem.

Officer Ed Garcia said he would like to speak to that. He said January 29th was the initial incident in which Officer Ramos received a 20 day suspension. He continued by saying that since then there were three alcohol related and/or un-officer like conduct incidents followed by the drunk driving arrest. He said they have asked that those be consolidated. He said after the drunk driving arrest and sitting up in City Prison, Officer Ramos came to a startling discovery that he had a big problem. He said Officer Chuck Levin who has a lot of experience dealing with individuals like Officer Ramos through Psych Prevention, responded to the Prison and obtained Officer Ramos' release and spent a great deal of time counseling him and helping him to find his way. He said as of this date, Officer Ramos come to realize that he is an alcoholic and that he is now enrolled in the out-patient alcohol clinic of the VA, Veteran Administration out on Clement Street. He said he goes to AA meetings and is right now in a position if given a chance to save his career, to save himself from a non-productive alcoholic life also.

The Commission after further discussion decided to continue the matter for one week.

RESOLUTION NO. 670-85

NOTIFICATION AND FILING OF CHARGES AGAINST POLICE OFFICER ROY M. RAMOS, COMMUNICATIONS DIVISION

WHEREAS, charges of violating the Rules and Procedures of the San Francisco Police Department were filed against Police Officer Roy M. Ramos, Communications Division, as follows:

CHARGE NO. 1

Failure to prevent crime while off duty (violation of Rule A-2 of General Order D-1 of the San Francisco Police Department);

CHARGE NO. 2

Failure to obey the lawful order of a superior Officer (violation of Rule A-11 of General Order D-1 of the San Francisco Police Department);

CHARGE NO. 3

Engaging in conduct which tends to subvert the good order, efficiency or discipline of the Department and which reflects discredit upon The Department (violation of Rule A-9 of General Order D-1 of the San Francisco Police Department).

by Cornelius P. Murphy, Chief of Police, San Francisco Police Department; therefore be it

RESOLVED, that the date for the setting of the hearing of the disciplinary charges filed against Officer Roy M.Ramos, Communications Division, is set for Thursday, June 27, 1985 at 5:30 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Daly, Toler, Hsieh, Sanchez
ABSENT: Commissioner Nelder

THE MEETING WAS THEN ADJOURNED AT 6:35 P.M.

LIEUTENANT WILLIE E. FRAZIER
SECRETARY
THE POLICE COMMISSION

JUNE 27, 1985 SPECIAL MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 512, Hall of Justice, 850 Bryant Street, on Thursday, June 27, 1985, at 1700 hours in a Special Meeting in Closed Session.

PRESENT: Commissioners Daly, Toler, Hsieh, Nelder Sanchez

Commissioner David Sanchez presiding.

1. Attorney-Client Conference

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JUNE 27, 1985 REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Thursday, June 27, 1985, at 1730 hours in a Regular Meeting.

PRESENT: Commissioners Daly, Toler, Hsieh, Nelder Sanchez

Commissioner David Sanchez presiding.

PRESENTATION OF $2,500.00 GRANT TO THE SAN FRANCISCO POLICE DEPARTMENT'S COMMUNITY SERVICES DIVISION FROM THE BAY AREA SPORTS HALL OF FAME SPONSORED BY THE SAN FRANCISCO CHAMBER OF COMMERCE

Mr. Lou Spadia appeared this date and advised that on behalf of The Bay Area Hall of Fame he was presenting to The Police Department a check for $2,500 for the San Francisco Police Department's Community Relation's Youth Program after discussion as to how beneficial the donation will be. The Commission thanked Mr. Spadia and accepted the check of $2,500 dollars.

APPROVAL OF MINUTES OF THE MEETING OF JUNE 6, 1985

Approval of Minutes of the Meeting of June 6, 1985. The Commissioners having received, approved and returned copies of same.

APPROVAL OF CONSENT CALENDAR

Recommendation of the City Attorney for settlement of the following claims against the City and County of San Francisco:

RESOLUTION NO. 694-85

ALENE S. LEVINE, ERLINDA SYMACO AND KATHRYN MILLER vs. CITY AND COUNTY OF SAN FRANCISCO, et al

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Alene S. Levine, Erlinda Symaco and Kathryn Miller in the sum of $75,000.00 in Superior Court No. 762-991, entitled "Alene S. Levine, Erlinda Symaco and Kathryn Miller vs. City and County of San Francisco, et al", as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: March 31, 1979

AYES: Commissioners Daly, Hsieh, Nelder, Toler, Sanchez

RESOLUTION NO. 707-85

CALIFORNIA STATE AUTO ASSOC. (GURSEWAK SIKAND)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of California State Auto Association (Gursewak Sikand) in the sum of $876.25 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: September 20, 1983

AYES: Commissioners Daly, Hsieh, Nelder, Toler, Sanchez

RESOLUTION NO. 708-85

SANDRA L. FOSTER

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Sandra L. Foster in the sum of $122.91 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: July 27, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Toler, Sanchez

RESOLUTION NO. 709-85

CARMEN E. DE GUZMAN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Carmen E. De Zugman in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 10, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Toler, Sanchez

RESOLUTION NO. 710-85

ABC TOWING (NOLAN)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing (Nolan) in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 28, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Toler, Sanchez

RESOLUTION NO. 711-85

CHEN MAY YEH

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Chen May Yeh in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: April 21, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Toler, Sanchez

RESOLUTION NO. 717-85

LINDSEY L. GORDON

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Lindsey L. Gordon in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 7, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Toler, Sanchez.

RESOLUTION NO. 718-85

LESLIE KRAMER

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Leslie Kramer in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 4, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Toler, Sanchez

RESOLUTION NO. 719-85

SONIA KORIGANOWITZ

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Sonia Koriganowitz in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 10, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Toler, Sanchez

RESOLUTION NO. 720-85

CHUCK HODSDON

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Chuck Hodsdon in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: April 22, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Toler, Sanchez

RESOLUTION NO. 721-85

BRIAN FONG

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Brian Fong in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 16, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Toler, Sanchez

RESOLUTION NO. 727-85

STELLA CHANG

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Stella Chang in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: April 19, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Sanchez, Toler

RESOLUTION NO. 728-85

BRIAN CAREY

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Brian Carey in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: April 29, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Toler, Sanchez

RESOLUTION NO. 729-85

SUSAN GREEN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Susan Green in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: April 28, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Toler, Sanchez

RESOLUTION NO. 730-85

CRAIG COLLINS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Craig Collins in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: April 26, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Sanchez, Toler

RESOLUTION NO. 731-85

DAVID G. GLICK

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of David G. Glick in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: April 17, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Sanchez, Toler

RESOLUTION NO. 737-85

EILEEN MURPHY

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Eileen Murphy in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved

Date of Incident: April 26, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Toler, Sanchez

RESOLUTION NO. 738-85

ELLEN C. ROSS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Ellen C. Ross in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 3, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Toler, Sanchez

RESOLUTION NO. 739-85

JOSEPHINE TRUONG

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Josephine Truong in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 17, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Toler, Sanchez

RESOLUTION NO. 740-85

LEONID ZARETSKY

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Leonid Zaretsky in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 21, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Toler, Sanchez

RESOLUTION NO. 741-85

JERRY M. BUTTS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Jerry M. Butts in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 18, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Toler, Sanchez

RESOLUTION NO. 747-85

ILYA ZHABOKRUG

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Ilya Zhabokrug in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 23, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Toler, Sanchez

RESOLUTION NO. 748-85

BRIAN RUSSELL

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Brian Russell in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 31, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Toler, Sanchez

RESOLUTION NO. 749-85

TERESA SCHWAB

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Teresa Schwab in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 3, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Toler, Sanchez

RESOLUTION NO. 750-85

ALI NARAB

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Ali Narab in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 27, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Toler, Sanchez

RESOLUTION NO. 751-85

LAURENCE E. MYERS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Laurence E. Myers in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: June 1, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Toler, Sanchez

RESOLUTION NO. 700-85

APPROVAL OF TRAVELING EXPENSE VOUCHERS SUBMITTED BY OFFICER RAYMOND KOENIG AND OFFICER JOSEPH DERENZI IN THE AMOUNT OF $104,00 EACH FOR EXPENSES INCURRED IN ATTENDING THE MOTORCYCLE TRAINING COURSE ON BRUTE, CALIFORNIA FROM MAY 5th TO MAY 16, 1985

RESOLVED, that the Traveling Expense Vouchers submitted by the following named members of The Police Department for expenses incurred in attending the below indicated program, be, and the same are hereby approved.

Officer Joseph Derenzi	(Motorcycle Training
Officer Raymond Koenig	(Bryte, CA
	(5/6/85 - 5/16/75
	($104.00 each

AYES: Commissioners Daly, Hsieh, NElder, Toler, Sanchez

RESOLUTION NO. 701-85

APPROVAL OF TRAVELING SERGEANT ROBERT HULSEY IN AMOUNT OF $677.65 AND OFFICERS MICHAEL TRAVIS & OFFICER EDWARD DULLEA IN THE AMOUNT OF $637.65 EACH FOR EXPENSES INCURRED IN ATTENDING THE I.A.B.T.I. TRANING SEMINAR IN RENO, NEVADA FROM MAY 19TH TO MAY 24, 1985.

RESOLVED, that the Traveling Expense Vouchers submitted by the following named members of the Police Department for expenses incurred in attending the below indicated program, be, and the same are hereby approved.

Sgt. Robert Hulsey	(I.A.B.T.I. Training
Seminar	
Officer Edward Dullea	(Reno, Nevada
Officer Michael Travis	(5/19/85 - 5/24/85
	($677.65 - Sgt. Hulsey
	$637.65 for Officers
	Dullea and Travis

AYES: Commissioners Daly, Hsieh, Nelder, Sanchez, Toler

RESOLUTION NO. 702-85

APPROVAL OF TRAVELING EXPENSE VOUCHERS SUBMITTED BY SERGEANT JAMES LONG AND OFFICER ANNE TAGOILELAGI, IN THE AMOUNT OF $731.65 EACH FOR EXPENSES INCURRED IN ATTENDING THE NARCOTIC INVESTIGATION COURSE IN SACRAMENTO FROM MAY 5TH TO MAY 17, 1985

RESOLVED, that the Traveling Expense Vouchers submitted by the following named members of the Police Department for expenses incurred in attending the below indicated program, be, and the same are hereby approved.

Sgt. James Long	(Narcotic Investigation
Officer Anne Tagoilelagi	(5/5 to 5/17/85
	($731.65 each

AYES: Commissioners Daly, Hsieh, Nelder, Toler, Sanchez

RESOLUTION NO. 706-85

APPROVAL OF TRAVELING EXPENSE VOUCHER SUBMITTED BY INSPECTOR DOUGLAS RAMSEY, TACTICAL DIVISION, IN THE AMOUNT OF $132.00 FOR EXPENSES INCURRED IN ATTENDING THE FIRE/ARSON INVESTIGATION COURSE IN EMMITSBURG, MARYLAND FROM MAY 13TH TO MAY 24, 1985

RESOLVED, that the Traveling Expense Voucher submitted by the following named member of the Police Department for expenses incurred in attending the below indicated program, be, and the same is hereby approved.

Inspector Douglas Ramsey (Fire/Arson Investigation
Course

(Emmitsburg, Maryland
(5/13 - 5/24/85
($132.00

AYES: Commissioners Daly, Hsieh, Nelder, Toler, Sanchez

RESOLUTION NO. 697-85

RECOMMENDATION OF THE CHIEF OF POLICE THAT OFFICER CHARLES COATES AND MICHAEL O'BRIEN, POLICE RANGE SECTION, BE AUTHORIZED TO ATTEND THE LASER FIREARMS COURSE CONDUCTED BYU THE NORTHERN CALIFORNIA CRIMINAL JUSTICE TRAINING AND EDUCATION SYSTEM IN OROVILLE, CALIFORNIA ON JULY 19th. EXPENSES IN THE AMOUNT OF $106.00 EACH FOR TRAVEL AN ENROUTE COSTS WILL BE REIMBURSED BY P.O.S.T. $76.00 EACH FOR HOTEL AND TUITION WILL BE DEFRAYED BY THE DEPARTMENT TRAINING FUND.

RESOLVED, that the recommendation of the Chief of Police that Officers Charles Coates and Michael O'Brien, Police Range Section, be authorized to attend the Laser Firearms Course conducted by the Northern California Criminal Justice Training and Education System in Oroville, California on July 19, 1985, is hereby approved; and be it further

RESOLVED, that expenses in the amount of $106.60 each for travel and en route costs will be reimbursed by P.O.S.T. $76.00 each for hotel and tuition will be defrayed by the Department Training Fund.

AYES: Commissioners Daly, Hsieh, Nelder, Toler, Sanchez

RESOLUTION NO. 698-85

RECOMMENDATION OF THE CHIEF THAT OFFICER FRANK McDONAGH, ACADEMY SECTION, BE AUTHORIZED TO ATTEND THE MECHANICS OF ARREST FOR INSTRUCTORS IN QUANTICO, VA FROM 07/22 TO 07/29/85

RESOLVED, that the recommendation of the Chief of Police that Officer Frank McDonagh, Academy Section, be authorized to attend the Mechanics of Arrest for Instructors, conducted by the Federal Bureau of Investigation in Quantico, Virginia from July 22 to July 29, 1985, is hereby approved; and be it further

RESOLVED, that there will be no cost to the Department; the F.B.I. will pay all costs for the training.

AYES: Commissioners Daly, Hsieh, Nelder Toler, Sanchez

WHEREAS, it was requested by Mr. Jerry W. Akins, Attorney at Law, representing the San Francisco Police Department, that the date for the hearing before the Police Commission be set for July 18, 1985 at 5:30 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Daly, Hsieh, Nelder, Toler, Sanchez

HEARING OF THE DISCIPLINARY CHARGES FILED AGAINST POLICE OFFICER JOSEPH WEATHERMAN, CENTRAL STATION

The hearing of Police Officer Jospeh Weatherman, Central Station, was called it having been set for this date.

Officer Joseph Weatherman appeared in person and was represented by Mr. Stephen F. Whitmore, Attorney at Law.

Mr. Jerry Akins, Attorney at Law, appeared on behalf of the San Francisco Police Department.

An opening statement was made by Mr. Jerry Akins for the Prosecution.

An opening statement for the Defense was reserved by Mr. Stephen F. Whitmore.

The charges were read into the record by Attorney Jerry Akins.

The following named witnesses appeared for the Prosecution, were sworn and testified:

David Barsotti	227 Barane Ct. Road Tiburon, CA
Steve Lyons	70 Sparim Ct. San Quentin, CA
Jeff Sciaroni	36 Millville Drive Mill Valley, CA

After listening to testimony from the above parties, the meeting was adjourned at 9:30 p.m. and the hearing was continued to Thursday, July 11, 1985 at 5:30 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Daly, Toler, Nelder, Hsieh, Sanchez

THE MEETING THEREAFTER ADJOURNED AT 10:00 P.M.

Willie E. Frazier

LIEUTENANT WILLIE E. FRAZIER
SECRETARY
THE POLICE COMMISSION

RESOLUTION 699-85

RECOMMENDATION OF THE CHIEF THAT LT. THOMAS DONOHOE, E&I DIVISION BE AUTHORIZED TO ATTEND THE VEHICULAR HOMICIDE/DRIVING WHILE INTOXICATED CONFERENCE IN CHICAGO FROM 07/09 TO 07/13/85

RESOLVED, that the recommendation of the Chief of Police that Lieutenant Thomas Donohoe, Enforcement & Investigations Division, be authorized to attend the Vehicular Homicide/Driving While Intoxicated Conference conducted by the Traffic Institute of Northwestern University in Chicago, Illinois from July 9 to July 13, 1985, is hereby approved; and be it further

RESOLVED, that expenses in the amount of $1,136.00 for registration, subsistence, air fare and ground transportation will be defrayed by the Department Training Fund.

AYES: Commissioners Daly, Hsieh, Nelder, Toler, Sanchez

POLICE COMMISSION REPORT

Commissioner Sanchez announced that the Police Commission met this date in Closed Session pertaining to Attorney-Client matters and no vote was taken.

CHIEF'S REPORT TO THE POLICE COMMISSION

The Chief made a report to the Commission regarding the status of Calaveras County Homicide, U.C. Apartheid Demonstrations, etc.

RESOLUTION NO. 691-85

NOTIFICATION AND FILING OF CHARGES AGAINST POLICE OFFICER LARRY MURDOCK, MISSION STATION

WHEREAS, charges of violating the Rules and Procedures of the San Francisco Police Department were filed against Police Officer Larry Murdock, Mission Station, as follows:

SPECIFICATION NO. 1

Failure to comply with Department weight standards (violation of Section II, Subsection A-1 of General Order B-1 of the San Francisco Police Department).

by Cornelius P. Murphy, Chief of Police, San Francisco Police Department; therefore be it

RESOLVED, that the date for the setting of the hearing of the disciplinary charges filed against Officer Larry Murdock, Mission Station, is set for Thursday, July 11, 1985 at 5:30 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Daly, Toler, Hsieh, Nelder, Sanchez

RESOLUTION NO. 692-85

SETTING OF DATE FOR HEARING ON THE CHARGES FILED AGAINST POLICE OFFICER ROY M. RAMOS, COMMUNICATIONS DIVISION

WHEREAS, the date to be set for the hearing of the disciplinary charges filed against Police Officer Roy M. Ramos, Communications Division, was called it having been be t for this date; and

RESOLUTION NO. 752-85

WAYNE E. LeNOUE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Wayne E. LeNoue in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 24, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Toler, Sanchez

RESOLUTION NO. 753-85

ALAN GUTTENBERG

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Alan Guttenberg in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 20, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Toler, Sanchez

RESOLUTION NO. 695-85

RECOMMENDATION OF THE CHIEF THAT TEN MEMBERS OF THE ADMINISTRATIVE BUR. BE AUTHORIZED TO ATTEND A P.O.S.T. TEAM BUILDING WORKSHOP IN SANTA CRUZ FROM 07/08 TO 07/10/85

RESOLVED, that the recommendation of the Chief of Police that ten (10) members of the Administrative Bureau be authorized to attend a P.O.S.T. Team Building Workshop, conducted by the Commission on Peace Officer Standards and Training in Santa Cruz, California from July 8 to July 10, 1985, is hereby approved; and be it further

RESOLVED, workshop participants would include one (1) Deputy Chief, one (1) Captain, seven (7) Lieutenants and one (1) Sergeant; and be it further

RESOLVED, that expenses for coordinating and facilities for this presentation, not to exceed $4,610.00, are fully reimbursable by P.O.S.T.

AYES: Commissioners Daly, Hsieh, Nelder, Toler, Sanchez

RESOLUTION NO. 696-85

RECOMMENDATION OF THE CHIEF THAT LT. EDMUND PECINOVSKY, ADMINISTRATION BUR., AND REA PUCCINELLI, LEGAL DIV., BE AUTHORIZED TO ATTEND THE FAIR LABOR STANDARDS ACT WORKSHOP IN SAN JOSE ON JUNE 12, 1985

RESOLVED, that the recommendation of the Chief of Police that Lieutenant Edmund Pecinovsky, Administration Bureau, and Rea Puccinelli, Legal Division, be authorized to attend the Fair Labor Standards Act Workshop, conducted by the League of California Cities in San Jose, California on June 12, 1985, is hereby approved; and be it further

RESOLVED, that expenses in the amount of $70.00 each for registration will be defrayed by the Department Training Fund.

AYES: Commissioners Daly, Hsieh, Nelder, Sanchez, Toler

RESOLUTION NO. 742-85

KEITH D. CARTHEN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Keith D. Carthen in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 15, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Toler, Sanchez

RESOLUTION NO. 743-85

CHARLES CRAMER

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Charles Cramer in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 19, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Toler, Sanchez

RESOLUTION NO. 744-85

NEIL CHRISTOPHER CUNNINGHAM

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Neil Christopher Cunningham in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 12, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Toler, Sanchez

RESOLUTION NO. 745-85

BLETH R. DOCENA

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Bleth R. Docena in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 28, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Toler, Sanchez

RESOLUTION NO. 746-85

WILLIAM FELZER

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of William Felzer in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 31, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Toler, Sanchez

RESOLUTION NO. 732-85

FRED GRANT

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Fred Grant in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 6, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Toler, Sanchez

RESOLUTION NO. 733-85

MATTHEW SHAPIRO

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Matthew Shapiro in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 6, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Toler, Sanchez

RESOLUTION NO. 734-85

JAMES M. STONE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of James M. Stone in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 14, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Toler, Sanchez

RESOLUTION NO. 735-85

WILLIAM H. MONENSCHEIN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of William H. Monenschein in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 19, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Toler, Sanchez

RESOLUTION NO. 736-85

MAUREEN O'NEILL

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Maureen O'Neill in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 17, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Toler, Sanchez

RESOLUTION NO. 722-85

SANDRA GERRITY

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Sandra Gerrity in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 14, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Toler, Sanchez

RESOLUTION NO. 723-85

RICHARD L. DAVIES

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Richard L. Davies in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 5, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Toler, Sanchez

RESOLUTION NO. 724-85

WILLIAM MACARET

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of William Macaret in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: April 25, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Toler, Sanchez

RESOLUTION NO. 725-85

GUILLERMO SURRACO

RESOLVED, that the recommendation of the City Attorney for settlement of the Claim of Guillermo Surraco in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: April 15, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Toler, Sanchez

RESOLUTION NO. 726-85

JUNE HERBERT

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of June Herbert in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: April 30, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Toler, Sanchez

RESOLUTION NO. 712-85

PAUL A. STEINER

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Paul A. Steiner in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 8, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Toler, Sanchez

RESOLUTION NO. 713-85

MICHAEL BROWN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Michael Brown in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 1, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Toler, Sanchez

RESOLUTION NO. 714-85

ANGEL M. MARTINEZ

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Angel M. Martinez in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 16, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Toler, Sanchez

RESOLUTION NO. 715-85

DEBRA PIERCE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Debra Pierce in the sum of $53.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 20, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Toler, Sanchez

RESOLUTION NO. 716-85

BETH A. ANDERSON

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Beth A. Anderson in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 9, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Toler, Sanchez

RESOLUTION NO. 670-85

NOTIFICATION AND FILING OF CHARGES AGAINST POLICE OFFICER ROY M. RAMOS, COMMUNICATIONS DIVISION

WHEREAS, charges of violating the Rules and Procedures of the San Francisco Police Department were filed against Police Officer Roy M. Ramos, Communications Division, as follows:

CHARGE NO. 1

Failure to prevent crime while off duty (violation of Rule A-2 of General Order D-1 of the San Francisco Police Department);

CHARGE NO. 2

Failure to obey the lawful order of a superior Officer (violation of Rule A-11 of General Order D-1 of the San Francisco Police Department);

CHARGE NO. 3

Engaging in conduct which tends to subvert the good order, efficiency or discipline of the Department and which reflects discredit upon The Department (violation of Rule A-9 of General Order D-1 of the San Francisco Police Department).

by Cornelius P. Murphy, Chief of Police, San Francisco Police Department; therefore be it

RESOLVED, that the date for the setting of the hearing of the disciplinary charges filed against Officer Roy M.Ramos, Communications Division, is set for Thursday, June 27, 1985 at 5:30 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Daly, Toler, Hsieh, Sanchez
ABSENT: Commissioner Nelder

THE MEETING WAS THEN ADJOURNED AT 6:35 P.M.

LIEUTENANT WILLIE E. FRAZIER
SECRETARY
THE POLICE COMMISSION

RESOLUTION NO. 700-85

APPROVAL OF TRAVELING EXPENSE VOUCHERS SUBMITTED BY OFFICER RAYMOND KOENIG AND OFFICER JOSEPH DERENZI IN THE AMOUNT OF $104,00 EACH FOR EXPENSES INCURRED IN ATTENDING THE MOTORCYCLE TRAINING COURSE ON BRUTE, CALIFORNIA FROM MAY 5th TO MAY 16, 1985

RESOLVED, that the Traveling Expense Vouchers submitted by the following named members of The Police Department for expenses incurred in attending the below indicated program, be, and the same are hereby approved.

Officer Joseph Derenzi	(Motorcycle Training
Officer Raymond Koenig	(Bryte, CA
	(5/6/85 - 5/16/75
	($104.00 each

AYES: Commissioners Daly, Hsieh, NElder, Toler, Sanchez

RESOLUTION NO. 701-85

APPROVAL OF TRAVELING SERGEANT ROBERT HULSEY IN AMOUNT OF $677.65 AND OFFICERS MICHAEL TRAVIS & OFFICER EDWARD DULLEA IN THE AMOUNT OF $637.65 EACH FOR EXPENSES INCURRED IN ATTENDING THE I.A.B.T.I. TRANING SEMINAR IN RENO, NEVADA FROM MAY 19TH TO MAY 24, 1985.

RESOLVED, that the Traveling Expense Vouchers submitted by the following named members of the Police Department for expenses incurred in attending the below indicated program, be, and the same are hereby approved.

Sgt. Robert Hulsey	(I.A.B.T.I. Training
Seminar	
Officer Edward Dullea	(Reno, Nevada
Officer Michael Travis	(5/19/85 - 5/24/85
	($677.65 - Sgt. Hulsey
	$637.65 for Officers
	Dullea and Travis

AYES: Commissioners Daly, Hsieh, Nelder, Sanchez, Toler

RESOLUTION NO. 702-85

APPROVAL OF TRAVELING EXPENSE VOUCHERS SUBMITTED BY SERGEANT JAMES LONG AND OFFICER ANNE TAGOILELAGI, IN THE AMOUNT OF $731.65 EACH FOR EXPENSES INCURRED IN ATTENDING THE NARCOTIC INVESTIGATION COURSE IN SACRAMENTO FROM MAY 5TH TO MAY 17, 1985

RESOLVED, that the Traveling Expense Vouchers submitted by the following named members of the Police Department for expenses incurred in attending the below indicated program, be, and the same are hereby approved.

Sgt. James Long	(Narcotic Investigation
Officer Anne Tagoilelagi	(5/5 to 5/17/85
	($731.65 each

AYES: Commissioners Daly, Hsieh, Nelder, Toler, Sanchez

JULY 11, 1985 SPECIAL MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 512, Hall of Justice, 850 Bryant Street, on Thursday, July 11, 1985, at 1700 hours in a Special Meeting in Closed Session.

PRESENT: Commissioners Daly, Hsieh, Nelder, Toler
ABSENT: Commissioner Sanchez

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Commissioner Nelder presiding.

Attorney-Client Conference

1. George V. Somers vs. City and County of San Francisco for damages in the amount of $21,893.59.

2. Reconsideration of the claim of Angel Garcia, et al, vs. City and County of San Francisco in the amount of $15,000.00.

RESOLUTION NO. 755-85

GEORGE V. SOMERS vs. CITY AND COUNTY OF SAN FRANCISCO

RESOLVED, that the recommendation of the City Attorney for settlement of the litigation of George V. Somers in the sum of $21,893.59 in Superior Court No. 784-566 entitled "George V. Somers vs. City and County of San Francisco" as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: January 17, 1981

AYES: Commissioners Daly, Hsieh, Nelder, Toler
ABSENT: Commissioner Sanchez

RESOLUTION NO. 756-85

ANGEL GARCIA, et al vs. CITY AND COUNTY OF SAN FRANCISCO

RESOLVED, that the recommendation of the City Attorney for settlement of the litigation of Angel Garcia in the sum of $15,000.00 in Superior Court No. 797-572, entitled "Angel Garcia, et al, vs. City and County of San Francisco", as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: November 1, 1981

AYES: Commissioners Daly, Hsieh, Nelder, Toler
ABSENT: Commissioner Sanchez

JULY 11, 1985 REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers Room 551, Hall of Justice, 850 Bryant Street, on Thursday, July 11, 1985, at 1730 hours in a Regular Meeting.

PRESENT: Commissioners Daly, Hsieh, Nelder, Toler
ABSENT: Commissioner Sanchez

APPROVAL OF MINUTES OF THE MEETING OF JUNE 13, 1985

The minutes of the meeting of June 13, 1985 was approved, the Commissioners having received, approved and returned copies of same.

APPROVAL OF CONSENT CALENDAR

Recommendation of the City Attorney for settlement of the following claims against the City and County of San Francisco:

RESOLUTION NO. 791-85

JUDITH DONAHUE vs. CITY AND COUNTY OF SAN FRANCISCO

RESOLVED, that judgment made for settlement of litigation of Judith Donahue in the sum of $82.25 in Small Claims Court No. 436-404 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: May 2, 1984

AYES: Commissioners Daly, Hsieh, Nelder, Toler
ABSENT: Commissioner Sanchez

RESOLUTION NO. 763-85

RICHARD J. CATRON

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Richard J. Catron in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: June 3, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Toler
ABSENT: Commissioner Sanchez

RESOLUTION NO. 764-85

HENRY U. RAMIREZ, JR.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Henry U. Ramirez, Jr. in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 10, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Toler
ABSENT: Commissioner Sanchez

RESOLUTION NO. 765-85

WILLIAM FISHER

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of William Fisher in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: June 1, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Toler
ABSENT: Commissioner Sanchez

RESOLUTION NO. 766-85

ROBERT LING

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Robert Ling in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 23, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Toler
ABSENT: Commissioner Sanchez

RESOLUTION NO. 767-85

TAMARA VARGAS-PEPPER

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Tamara Vargas-Pepper in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 19, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Toler
ABSENT: Commissioner Sanchez

RESOLUTION NO. 768-85

CHRIS PUCCINELLI

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Chris Puccinelli in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 19, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Toler
ABSENT: Commissioner Sanchez

RESOLUTION NO. 769-85

HEE YOUNG AHN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Hee Young Ahn in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 28, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Toler
ABSENT: Commissioner Sanchez

RESOLUTION NO. 770-85

JEAN PIERRE ALOTTE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Jean Pierre Alotte in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 31, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Toler
ABSENT: Commissioner Sanchez

RESOLUTION NO. 771-85

DAVID JOSEPH WEBER

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of David Joseph Weber in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 23, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Toler
ABSENT: Commissioner Sanchez

RESOLUTION NO. 772-85

CATHERINE TAYLOR

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Catherine Taylor in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 20, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Toler
ABSENT: Commissioner Sanchez

RESOLUTION NO. 773-85

STEVEN PEARL

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Steven Pearl in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: June 12, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Toler
ABSENT: Commissioner Sanchez

RESOLUTION NO. 774-85

STEVEN McCALL

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Steven McCall in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: April 10, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Toler
ABSENT: Commissioner Sanchez

RESOLUTION NO. 775-85

PENNY BLISS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Penny Bliss in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 31, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Toler
ABSENT: Commissioner Sanchez

RESOLUTION NO. 776-85

SARAH C. KNIGHT

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Sarah C. Knight in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: June 6, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Toler
ABSENT: Commissioner Sanchez

RESOLUTION NO. 777-85

MICHAEL KREWER

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Michael Krewer in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: June 7, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Toler
ABSENT: Commissioner Sanchez

RESOLUTION NO. 778-85

MARY BLOISE LUCEY

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Mary Bloise Lucey in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 31, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Toler
ABSENT: Commissioner Sanchez

RESOLUTION NO. 779-85

JANICE STAFFORD

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Janice Stafford in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: June 6, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Toler
ABSENT: Commissioner Sanchez

RESOLUTION NO. 780-85

SUSAN GOLDFARB

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Susan Goldfarb in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: June 10, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Toler
ABSENT: Commissioner Sanchez

RESOLUTION NO. 781-85

DAG M. SYRRIST

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Dag M. Syrrist in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: June 2, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Toler
ABSENT: Commissioner Sanchez

RESOLUTION NO. 782-85

ERIC McDOUGALL

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Eric McDougall in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: June 1, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Toler
ABSENT: Commissioner Sanchez

RESOLUTION NO. 783-85

LISA A. TORRES

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Lisa A. Torres in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 31, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Toler
ABSENT: Commissioner Sanchez

RESOLUTION NO. 784-85

JUSTINE SLACK

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Justine Slack in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 31, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Toler
ABSENT: Commissioner Sanchez

RESOLUTION NO 785-85

JUDITH A. SOHIGIAN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Judith A. Sohigian in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: November 11, 1984

AYES: Commissioners Daly, Hsieh, Nelder, Toler
ABSENT: Commissioner Sanchez

RESOLUTION NO. 786-85

ABC TOWING (CONSUL)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing (Consul) in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 30, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Toler
ABSENT: Commissioner Sanchez

RESOLUTION NO. 787-85

ABC TOWING (VEGA)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing (Vega) in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: June 11, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Toler
ABSENT: Commissioner Sanchez

RESOLUTION NO. 788-85

ABC TOWING (MOORE)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing (Moore) in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: June 9, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Toler
ABSENT: Commissioner Sanchez

RESOLUTION NO. 789-85

ABC TOWING (HENDRICKS)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing (Hendricks) in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: June 4, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Toler
ABSENT: Commissioner Sanchez

RESOLUTION NO. 790-85

BAYARDO ALFARO

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Bayardo Alfaro in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: June 7, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Toler
ABSENT: Commissioner Sanchez

RESOLUTION NO. 792-85

TOM PAUL RICH

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Tom Paul Rich in the sum of $77.40 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: April 24, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Toler
ABSENT: Commissioner Sanchez

RESOLUTION NO. 793-85

ABC TOWING (WILSON)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing (Wilson) in the sum of $87.75 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 17, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Toler
ABSENT: Commissioner Sanchez

RESOLUTION NO. 794-85

ABC TOWING (KEYES)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing (Keyes) in the sum of $87.75 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: April 24, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Toler
ABSENT: Commissioner Sanchez

RESOLUTION NO. 795-85

ABC TOWING (De La HOZ)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing (De La Hoz) in the sum of $63.60 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: April 24, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Toler
ABSENT: Commissioner Sanchez

RESOLUTION NO. 796-85

ABC TOWING (TODD)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing (Todd) in the sum of $76.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: June 8, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Toler
ABSENT: Commissioner Sanchez

RESOLUTION NO. 693-85

RECOMMENDATION OF THE CHIEF THAT INSPECTOR GARY FREDERICK, VEHICLE HIT & RUN, OFFICERS RAYMOND SHINE, THOMAS SWEENY, DIRK BEIJEN AND DOUGLAS FOSS, E&I DIV., BE AUTHORIZED TO ATTEND THE SKIDMARK ANALYSIS IN ACCIDENT INVESTIGATION COURSE IN EUREKA, CA FROM JULY 15 TO JULY 19, 1985

RESOLVED, that the recommendation of the Chief of Police that Inspector Gary Fredrick, Vehicle Hit and Run, Officers Raymond Shine, Thomas Sweeny, Dirk Beijen and Douglas Foss, Enforcement and Investigations Division, be authorized to attend the Skidmark Analysis in Accident Investigation Course, conducted by the Northern California Criminal Justice Training and Education Center in Eureka, California from July 15 to July 19, 1985, is hereby approved; and be it further

RESOLVED, that expenses in the amount of $412.45 each for subsistence and travel will be reimbursed by P.O.S.T. Expenses in the amount of $18.50 each for registration, syllabus and parking will be defrayed by the Department Training Fund.

AYES: Commissioners Daly Hsieh, Nelder, Toler
ABSENT: Commissioner Sanchez

RESOLUTION NO. 760-85

APPROVAL OF TRAVELING EXPENSE VOUCHERS SUBMITTED BY OFFICERS RICHARD DANIELE, JOHN LOFTUS, ARTHUR STELLINI AND EDWARD SANTOS, NARCOTICS SEC., FOR EXPENSES INCURRED IN ATTENDING THE HEROIN INFLUENCE COURSE IN GILROY, CA FROM MARCH 22 TO MARCH 24, 1985

RESOLVED, that the Traveling Expense Vouchers submitted by the following named members of the Police Department for expenses incurred in attending the below indicated program, be and the same are hereby approved.

Officer Richard Daniele (Heroin Influence Course
Officer John Loftus (Gilroy, California
Officer Arthur Stellini (03/22/85 - 03/24/85
Officer Edward Santos ($220.45 each

AYES: Commissioners Daly, Hsieh, Nelder, Toler
ABSENT: Commissioner Sanchez

POLICE COMMISSION REPORT

Commissioner Nelder at this time stated that the Police Commission met this date in closed session in Attorney Client Conference and unanimously voted approval of the following claims:

1. George V. Somers vs. City and County of San Francisco for damages in the amount of $21,893.59.

1. Reconsideration of the claim of Angel Garcia, et al vs. City and County of San Francisco in the amount of $15,000.00

Commissioner Tom Hsieh commented on the success of the recently held "My Favorite Cop" Luncheon and thanked all the news media who participated in this noteworthy event.

CHIEF'S REPORT

Chief Murphy reported to the Commission that he had created a new Narcotics Investigative Unit that would report directly to him.

RESOLUTION NO. 754-85

PROPOSED AMENDMENTS TO FOUR SECTIONS OF THE CHARTER OF THE CITY AND COUNTY OF SAN FRANCISCO

WHEREAS, it has been brought to the attention of the Police Commission - Proposed Amendments to the Charter of the City and County of San Francisco; and

WHEREAS, said Charter Amendments directly affect the administrative operations of the San Francisco Police Department which are designated as:

A. DISCIPLINARY AUTHORITY: Charter Section 8.343

B. EXPANSION OF CANDIDATE POOL FOR APPOINTMENT TO NON-CIVIL SERVICE RANK: Sections 3.530 and 3.533

C. PERMIT INCREASE IN SIZE OF NARCOTICS PURCHASE FUND: Charter Section 3.539

and

WHEREAS, the Police Commission at its meeting of Thursday, July 11, 1985, held a public discussion on said amendments and heard testimony from the Chief of Police, President of the San Francisco Police Officers' Association, San Francisco Police Department Legal Office and a representative from the Mayor's Office, and

WHEREAS, after listening to all of the above, the Commission felt the positive aspects of said Amendments were more than sufficient to support and endorse them; therefore be it

RESOLVED, that the Police Commission having reviewed and received testimony regarding proposed Amendments to San Francisco Charter Sections 8.343, 3.530, 3.533 and 3.539, does hereby support and officially approve their placement on the November ballot.

AYES: Commissioners Daly, Hsieh, Nelder, Toler
ABSENT: Commissioner Sanchez

RESOLUTION NO. 762-85

REQUEST OF MR. EDMUND L. JUNG TO SUSPEND OPERATION OF HIS MOTORIZED RICKSHAWS PERMIT FROM JUNE 1, 1985 TO AUGUST 28, 1985 - APPROVED

WHEREAS, Mr. Edmund L. Jung has requested that permission be granted to suspend operation of his Motorized Rickshaws permit from June 1, 1985 to Augus' 28, 1985; and

WHEREAS, Mr. Jung did appear in person be it

RESOLVED, that it is the order of the Police Commission that the request of Mr. Edmund L. Jung for permission to suspend operation of his Motorized Rickshaws from June 1, 1985 to August 28, 1985, be, and the same is hereby approved.

AYES: Commissioners Daly, Hsieh, Nelder, Toler
ABSENT: Commissioner Sanchez

RESOLUTION NO. 761-85

APPLICATIONS FOR CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY FOR THE OPERATION OF JITNEYS ON MISSION STREET - DENIED

WHEREAS, each of the below-named persons applied to the Police Commission for a declaration by the Commission for Public Convenience and Necessity for the issuance of permits to operate a Jitney Bus in the City and County of San Francisco; and

WHEREAS, this matter came on for hearing before the Police Commission of the City and County of San Francisco on July 11, 1985; and

WHEREAS, various persons testified in opposition to the granting of additional permits and evidence in support of their position; and

WHEREAS, the law required that in order for a declaration of public convenience and necessity to be made, the applicants shall have the burden of proof to establish by clear and convincing evidence that public convenience and necessity requires the operation of the vehicle for which permit application is made; and

WHEREAS, existing permit holders are, under normal conditions, adequately serving the public; therefore be it

RESOLVED, that it is the decision of the Commission to deny additional Jitney Bus permits for Mission Street; and be it further

RESOLVED, that said applications for public convenience and necessity for Jitney Bus permits shall be denied to the below named applicants:

Thomas J. Inghelram
Cirilo M. DeGuzman, Jr.
Leonilo S. Cabahit
Jose A. Vasquez
Edmund L. Jung
Jasimar Panggabean
Alberto DeGuzman
Harvey Lew
Diosdado S. Reyes
Eduardo A. DelaCruz
Danilo H. Raymundo
Miguel V. San Juan
Boonsathien Pumpetch
Carlito N. DeGuzman

AYES: Commissioners Daly, Hsieh, Nelder, Toler
ABSENT: Commissioner Sanchez

RESOLUTION NO. 757-85

NOTIFICATION AND FILING OF CHARGES AGAINST POLICE OFFICER JAMES D. JONES, SOUTHERN STATION

WHEREAS, charges of violating the Rules and Procedures of the San Francisco Police Department were filed against Police Officer James D. Jones, Southern Station, as follows:

CHARGE NO. 1

Failure to report a vehicle accident while on duty and operating a Department vehicle (violation of Rule I, A, 1 of General Order R-1 of the San Francisco Police Department);

CHARGE NO. 2

Failure to prevent crime (violation of Rule A-1 of General Order D-1 of the San Francisco Police Department;

CHARGE NO. 3

Failure to operate Department vehicles in a reasonable prudent manner (violation of Rule A-14 of General Order D-11 of the San Francisco Police Department);

CHARGE NO. 4

Engaging in conduct which reflects discredit upon the Department (violation of Rule A-9 of General Order D-1 of the San Francisco Police Department).

by Cornelius P. Murphy, chief of Police of the San Francisco Police Department; therefore be it

RESOLVED, that the date for the setting of date for the hearing of the disciplinary charges filed against Police Officer James D. Jones, Southern Station, is set for Thursday, July 18, 1985 at 1730 hours in Room 551, Hall of Justice.

AYES: Commissioners Daly, Toler, Hsieh, Nelder
ABSENT: Commissioner Sanchez

RESOLUTION NO. 758-85

SETTING OF DATE FOR HEARING ON THE DISCIPLINARY CHARGES FILED AGAINST POLICE OFFICER LARRY MURDOCK, MISSION STATION

WHEREAS, the date for the setting of the hearing on the disciplinary charges filed against Police Officer Larry Murdock, Mission Station, was called it having been set for this date; and

WHEREAS, it was requested by Mr. Jerry W. Akins, Attorney at Law, representing the San Francisco Police Department, that the date for the hearing before the Police Commission be set for July 18, 1985; therefore be it

RESOLVED, that the hearing of the disciplinary charges filed against Police Officer Larry Murdock, Mission Station, is set for Thursday, July 18, 1985 at 1730 hours in Room 551, Hall of Justice.

AYES: Commissioners Daly, Toler, Hsieh, Nelder
ABSENT: Commissioner Sanchez

RESOLUTION NO. 759-85

HEARING OF POLICE OFFICER JOSEPH WEATHERMAN, CENTRAL STATION (CONTINUED FROM MEETING OF JUNE 27, 1985)

The matter of the hearing of Officer Joseph Weatherman, Central Station, was called it having been continued from the meeting of June 27, 1985.

Officer Joseph Weatherman apeared in person and was represented by Mr. Stephen Whitmore, Attorney at Law.

Mr. Jerry Akins, Attorney at Law, appeared as Prosecutor for the San Francisco Police Department.

An opening statement was made by Attorney Stephen Whitmore, as the Defense nows opens its case.

The following named witnesses were called by the Defense, were sworn and testified:

Officer Joseph Weatherman, Central Station
Investigator Shelia McEvoy, Office of Citizen Complaints

The following exhibits were entered into evidence by the Prosecution:

Exhibit #1 SFPD #266 Statement Form written by Kyle R. Elliott dated 02/23/84 - Incident Number 840 211 364

Exhibit #2 SFPD #266 Statement Form written by Jeff Scianroni dated 02/23/84 - Incident Number 840 211 364

Exhibit #3 SFPD #266 Statement Form written by Jeff Angeja dated 02/23/84 - Incident Number 840 211 364

Exhibit #4 SFPD #266 Statement Form written by Sean Sullivan dated 02/23/84 - Incident Number 840 211 364

Exhibit #5 SFPD #266 Statement Form written by Jon DelBino, Jr. dated 02/23/84 - Incident Number 840 211 364

Exhibit #6 SFPD #266 Statement Form written by Todd Harper dated 02/23/84 - Incident Number 840 211 364

The following exhibits were entered into evidence by the Defense:

Exhibit A SFPD #266 Statement Form written by David J. Barsotti, dated 02/23/84 - Incident Number 840 211 364

Exhibit B SFPD #266 Statement Form written by Stephen H. Lyons, dated 02/23/84 - Incident Number 840 211 364

After listening to testimonies from the above parties, the Commission then adjourned at 2137 hours, and the matter was continued to Thursday, July 18, 1985 at 1700 hours in Room 551, Hall of Justice.

AYES: Commissioners Daly, Toler, Hsieh, Nelder
ABSENT: Commissioner Sanchez

(The entire proceedings were taken in Shorthand Form by Ms. Linda Pransky, CSR.)

THE MEETING WAS THEN ADJOURNED AT 2137 HOURS.

Willie E. Frazier

Lieutenant Willie E. Frazier
Secretary
THE POLICE COMMISSION

JULY 18, 1985 SPECIAL MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 512, Hall of Justice, 850 Bryant Street, on Thursday, July 18, 1985, at 1630 hours in a Special Meeting in Closed Session.

PRESENT: Commissioners, Nelder, Daly, Hsieh, Toler
ABSENT: Commissioner Sanchez

Commissioner Nelder presiding.

1. Attorney-Client Conference.

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JULY 18, 1985 SPECIAL MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Thursday, July 18, 1985, at 1700 hours in a Special Meeting.

PRESENT: Commissioners Sanchez, Nelder, Daly, Hsieh, Daly

Commissioner Sanchez presiding.

HEARING OF POLICE OFFICER JOSEPH WEATHERMAN, CENTRAL STATION (CONTINUED FROM MEETING OF JULY 11, 1985

The hearing of Officer Joseph Weatherman, Central Station, was called it having been continued from the meeting of July 11, 1985.

Officer Joseph Weatherman appeared in person and was represented by Mr. Stephen Whitmore, Attorney at Law.

Mr. Jerry Akins, Attorney at Law, appeared as Prosecutor for the San Francisco Police Department.

The following named witnesses were called by the Defense, were sworn and testified:

Sgt. Al Perini	Central Station
Capt. Lawrence Gray	Central Station
Officer Mark Laherty	Central Station
Officer Henry Para	Central Station

The following exhibit was entered into evidence by the Prosecution:

Exhibit #7 SFPD 266 Statement Form written by R.O. Hilvert 3/7/84 - Incident No. 840 211 364

Closing statements were made by both Prosecuting and Defense Attorneys.

The Commission took the matter under submission, recessed and returned, finding that Charge No. 1 is sustained.

Based on those findings, the Commission requested a recommendation from Chief of Police Cornelius P. Murphy. It is the recommendation of the Chief of Police that Officer Joseph Weatherman be suspended for 20 days.

The Commission again took the matter under submission and the following resolution was adopted:

RESOLUTION NO. 802-85

WHEREAS, on February 26, 1985, Cornelius P. Murphy, Chief of Police, made and served charges against Police Officer Joseph Weatherman, Central Station, as follows:

CHARGE NO. 1

Engaging in conduct which tends to subvert the good order, efficiency and discipline of the Department and which reflects discredit upon the Department (violation of Rule A-9 of General Order D-1 of the San Francisco Police Department).

(a) At all times herein mentioned, Joseph Weatherman, Star Number 783 (hereinafter referred to as "the accused"), was and is a police officer employed by the San Francisco Police Department and was assigned to Central Police Station;

(b) As a police officer, the accused was and is responsible for knowing and obeying the rules, orders and procedures of the San Francisco Police Department and the laws of the State of California;

(c) On February 23, 1984, at or about 1445 hours the accused while off duty, not in uniform driving his private automobile and accompanied by Officer Mark Laherty, became involved in an incident with a group of individuals in a camper truck on Park Presidio Boulevard at its intersection with Fulton Street in the City and County of San Francisco;

(d) In the course of said incident, the accused broke the right front side window of the camper truck and then initiated a fist fight with the driver of the truck and identified himself as a San Francisco Police Department officer;

(e) By the conduct of the accused in breaking the window and initiating the fist fight without lawful justification or legal excuse, even though off duty and while in the employ of the San Francisco Police Department, the accused has engaged in conduct which subverts the good order, efficiency and discipline of the Department and reflects discredit on the Department which constitutes a violation of Rule A-9 of General Order D-1 of the San Francisco Police Department which states:

"Any breach of the peace, neglect of duty, misconduct or any conduct on the part of any member either within or without the state which tends to subvert the good order, efficiency or discipline of the Department or which reflects discredit upon the Department of any member thereof or that is prejudicial to the efficiency and discipline of the Department, though such offenses are not specifically defined or laid down in these Rules and Procedures, shall be considered unofficer-like conduct triable and punishable by the Board."

and

WHEREAS, a hearing on said Charges was held before the Police Commission pursuant to Section 8.343 of the Charter of the City and County of San Francisco on Thursday, June 27, 1985, Thursday, July 11, 1985, and Thursday, July 18, 1985, the matter was submitted to the Police Commission for decision; and

WHEREAS, the Police Commission finds that the allegations contained in Charge No. 1, violation of Rule A-9 of General Order D-1, as preferred by the Chief of Police against Officer Joseph Weatherman are sustained by the evidence presented at the hearing; therefore be it

RESOLVED, that based on these findings, consistent with the Commission's duty to protect the health, safety and general welfare of the Citizens of the City and County of San Francisco and the public in general, and in order to promote efficiency and good discipline in the San Francisco Police Department, the Commission orders that the following discipline be imposed:

Charge No. 1 [penalty] To perform 240 hours in the next year working with teen-agers through the Community Services Division (stipulated to by Officer Weatherman's attorney).

Recesses taken during the hearing of Officer Joseph Weatherman:

5:15 p.m. to 5:30 p.m.
7:30 p.m. to 7:38 p.m.
7:44 p.m. to 7:52 p.m.

(The entire proceedings were taken in shorthand form by Ms Linda Pransky, CSR.)

AYES: Commissioners Daly, Hsieh, Nelder, Toler
ABSENT: Commissioner Sanchez

JULY 18, 1985 REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Thursday, July 18, 1985, at 1730 Hours in a Regular Meeting.

PRESENT: Commissioners Sanchez, Nelder, Hsieh, Daly, Toler

Commissioner Sanchez presiding.

APPROVAL OF MINUTES OF MEETING OF JUNE 20, 1985

Approval of the Minutes of the Meeting of June 20, 1985. The Commissioners having received, approved and returned copies of same.

APPROVAL OF CONSENT CALENDAR

Recommendation of the City Attorney for settlement of the following claims against the City and County of San Francisco:

RESOLUTION NO. 803-85

FARMERS INSURANCE (BERNARD TANG)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Farmers Insurance (Bernard Tang) in the sum of $3,256.85 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: December 27, 1984

AYES: Commissioners Daly, Hsieh, Nelder, Sanchez, Toler

RESOLUTION NO. 804-85

GUARANTY NATIONAL INSURANCE (JEFFERY HELLER)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Guaranty National Insurance (Jeffery Heller) in the sum of $2,257.00 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: February 8, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Sanchez, Toler

RESOLUTION NO. 805-85

CALIFORNIA STATE AUTO INSURANCE (NANCY G. CLINCH)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of California State Auto Insurance (Nancy G. Clinch) in the sum of $1,036.65 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: March 24, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Sanchez, Toler

RESOLUTION NO. 806-85

ANNA QUIROS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Anna Quiros in the sum of $816.81 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: March 2, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Sanchez, Toler

RESOLUTION NO. 807-85

DONALD HELLIS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Donald Hellis in the sum of $800.00 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: On or about March 25 through March 29, 1983

AYES: Commissioners Daly, Hsieh, Nelder, Sanchez, Toler

RESOLUTION NO. 808-85

ALI WASSMAN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Ali Wassman in the sum of $556.32 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: January 5, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Sanchez, Toler

RESOLUTION NO. 809-85

RANDELL MEADORS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Randell Meadors in the sum of $454.84 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: October 27, 1984

AYES: Commissioners Daly, Hsieh, Nelder, Sanchez, Toler

RESOLUTION NO. 810-85

DANIEL STEIN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Daniel Stein in the sum of $425.00 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: February 8, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Sanchez, Toler

RESOLUTION NO. 811-85

PAUL GRIPPALDI & ROB BRACCIALE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Paul Grippaldi and Rob Bracciale in the sum of $100.36 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: April 14, 1985

AYES: Commissioners Toler, Nelder, Daly, Hsieh Sanchez

RESOLUTION NO. 812-85

ABC TOWING (ZUNIGA)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing (Zuniga) in the sum of $87.75 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: April 12, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Sanchez, Toler

RESOLUTION NO. 813-85

ABC TOWING (WATT)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing (Watt) in the sum of $87.75 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: April 19, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Sanchez, Toler

RESOLUTION NO. 814-85

ABC TOWING (CALLAHAN)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing (Callahan) in the sum of $87.75 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: June 15, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Sanchez, Toler

RESOLUTION NO. 815-85

ABC TOWING (TESCHKE)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing (Teschke) in the sum of $87.75 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: June 17, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Sanchez, Toler

RESOLUTION NO. 816-85

ABC TOWING (ODNEZIA)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing (Odnezia) in the sum of $87.75 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: April 3, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Sanchez, Toler

RESOLUTION NO. 817-85

ABC TOWING (CALLOW)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing (Callow) in the sum of $87.75 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: April 19, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Sanchez, Toler

RESOLUTION NO. 818-85

ABC TOWING (VALENCIA)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing (Valencia) in the sum of $87.75 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: April 12, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Sanchez, Toler

RESOLUTION NO. 819-85

ABC TOWING (DIJULLIO)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing (Dijullio) in the sum of $87.75 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: April 5, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Sanchez, Toler

RESOLUTION NO. 820-85

LYNNETTE NELSON

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Lynnette Nelson in the sum of $83.08 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: March 28, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Sanchez, Toler

RESOLUTION NO. 821-85

JAMES W. NG

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of James W. Ng in the sum of $76.25 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: May 13, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Sanchez, Toler

RESOLUTION NO. 822-85

JEFFREY TODD THATCHER

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Jeffrey Todd Thatcher in the sum of $73.00 as the result of injuries sustained, be, and the same is hereby approved.

Date of Incident: January 21, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Sanchez, Toler

RESOLUTION NO. 823-85

JERRY CHALMERS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Jerry Chalmers in the sum of $70.00 as the result of loss of currency be, and the same is hereby approved.

Date of Incident: April 24, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Sanchez, Toler

RESOLUTION NO. 824-85

NANCY JO FLESHER

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Nancy Jo Flesher in the sum of $69.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: April 9, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Sanchez, Toler

RESOLUTION NO. 825-85

DEBORAH A. RUSHFORD

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Deborah A. Rushford in the sum of $64.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 21, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Sanchez, Toler

RESOLUTION NO. 826-85

WESLEY YU

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Wesley Yu in the sum of $64.75 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: June 2, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Sanchez, Toler

RESOLUTION NO. 827-85

ABC TOWING (CHEONG) #2

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing (Cheong) #2 in the sum of $64.75 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: June 23, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Sanchez, Toler

RESOLUTION NO. 828-85

DONALD KAYANO

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Donald Kayano in the sum of $64.75 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: June 12, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Sanchez, Toler

RESOLUTION NO. 829-85

ZIA F. MODABBER

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Zia F. Modabber in the sum of $64.75 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 3, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Sanchez, Toler

RESOLUTION NO. 830-85

ABC TOWING (FOLLETT)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing (Follett) in the sum of $63.60 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: November 26, 1984

AYES: Commissioners Daly, Hsieh, Nelder, Sanchez, Toler

RESOLUTION NO. 831-85

ABC TOWING (OTTO)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing (Otto) in the sum of $63.60 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: April 9, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Sanchez, Toler

RESOLUTION NO. 832-85

KATHY BETCHART

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Kathy Betchart in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: June 10, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Sanchez, Toler

RESOLUTION NO. 833-85

SHERI A. PACE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Sheri A. Pace in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: June 24, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Sanchez, Toler

RESOLUTION NO. 834-85

ROGER W. SPENCER, II

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Roger W. Spencer, II in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 23, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Sanchez, Toler

RESOLUTION NO. 835-85

ALEC NEMON

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Alec Nemon in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: June 10, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Sanchez, Toler

RESOLUTION NO. 836-85

H. L. McNEIL

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of H. L. McNeil in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: June 21, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Sanchez, Toler

RESOLUTION NO. 837-85

ALANNA LANMAN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Alanna Lanman in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 31, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Sanchez, Toler

RESOLUTION NO. 838-85

RODNEY K. JEONG

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Rodney K. Jeong in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: June 18, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Sanchez, Toler

RESOLUTION NO. 839-85

ABC TOWING (WERFEL)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing (Werfel) in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: June 27, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Sanchez, Toler

RESOLUTION NO. 840-85

ABC TOWING (BLAISSURE)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing (Blaissure) in the sum of $34.50 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 16, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Sanchez, Toler

RESOLUTION NO. 841-85

JOHN MAURICE TINDEL

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of John Maurice Tindel in the sum of $10.00 as the result of damages, be, and the same is hereby approved.

Date of Incident: March 25, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Sanchez, Toler

POLICE COMMISSION REPORT

Commissioner Tom Hsieh said he and Commissioner Daly met with Mr. Frank Schober, Director of Office Of Citizens Complaints Operations and there will be a full report made by the Director to the Commission next week.

Chief Murphy made a report at the request of Commissioner Nelder on the condition of the District Stations that are currently receiving a "face lift" ie, painting and repairs.

Commissioner Sanchez said it was his understanding that the 85/86 budget was reduced by $900,000 and at the same time it was his understanding also that there is roughly $1.2 to $2 million in which The Department receives from Revenue Sharing and is up for Congressional action and debate at this point, if, in fact, those funds are eliminated there could be a negative cash flow for the Department of nearly 3 million dollars. He asked for the Chief's comment in this regard. Chief Murphy said that this is not only an important aspect for the San Francisco Police Department but also for the whole city. he said there has been a request for approval of the Supplemental Appropriation for 1.2 million which would take care of the shortfall for sworn personnel and will be on calendar for next week. But the Consent Decree Unit will be hit severely and other measures must be taken to keep them afloat.

CHIEF' REPORT TO THE POLICE COMMISSION

Chief Murphy said the only thing the he had to report to the Commission is that he would be making appointments of 46 Temporary Sergeants who would commence training next Monday for a period of two weeks.

RESOLUTION NO. 801-85

SETTING OF DATE FOR HEARING ON THE DISCIPLINARY CHARGES FILED AGAINST POLICE OFFICER JAMES D. JONES, SOUTHERN STATION

WHEREAS, the date for the setting of the hearing on the disciplinary charges filed against Police Officer James D. Jones, Southern Station, was called it having been set for this date; and

WHEREAS, it was requested by Mr. Jerry W. Akins, Attorney at Law, representing the San Francisco Police Department, that the date for the hearing before the Police Commission be set for September 5, 1985; therefore be it

RESOLVED, that the hearing of the disciplinary charges filed against Police Officer James D. Jones, Southern Station, is set for Thursday, September 5, 1985 at 1730 hours in Room 551, Hall of Justice.

AYES: Commissioners Daly, Hsieh, Nelder, Sanchez, Toler

At this time Mr. Michael Gash Attorney, for the San Francisco Police Department said that he would like to bring up a matter not scheduled for tonight's meeting. He said Mr. Stephen Whitmore, Attorney for Sergeant Steve Smith has requested that the Sergeant's hearing, set for next week, be continued to August 29th which is a date that he, (Gash) agreed upon and if the Commission has no objection it would then be officially set.

Commissioner Toler said he would make the motion for it to be set of August 29th and it was seconded and unanimously approved.

REQUEST OF THE CHIEF OF POLICE FOR A "PROPOSED RESOLUTION COMMENDING THE SERVICES OF MR. MICHAEL SUSSMAN" FOR SERVICES RENDERED THIS DEPARTMENT WHILE PERFORMING AS A PROFESSIONAL PHOTOGRAPHER, AND ALSO AS AN INDIVIDUAL WHO DEVOTED A SUBSTANTIAL AMOUNT OF HIS OWN FREE TIME TO VOLUNTEER PUBLIC SERVICE, UNTIL HIS DEATH ON APRIL 2, 1985.

Commissioner Sanchez presented to Mr. Sussman's son, a Certificate of Appreciation from the San Francisco Police Department in memory of Mr. Michael Sussman. Commissioner Sanchez then stated to Mr. Sussman that his father was un-excelled in his efforts and outstanding work with the Department during his many many years of service and also noted during Commissioner Sanchez' tenure of almost seven years with the Commission. He said Mr. Sussman was always available, always volunteered his services and performed above and beyond. He said on behalf of the Commission and the Department it is a heart felt loss.

The Commission then adopted the following Resolution.

RESOLUTION NO. 800-85

COMMENDATION OF MR. MICHAEL SUSSMAN FOR SERVICES RENDERED THIS DEPARTMENT WHILE PERFORMING AS A PROFESSIONAL PHOTOGRAPHER AND ALSO AS AN INDIVIDUAL WHO DEVOTED A SUBSTANTIAL AMOUNT OF HIS OWN FREE TIME TO VOLUNTEER PUBLIC SERVICE

WHEREAS, throughout his career as a professional photographer and over 19 years as an active member of the San Francisco Police Department Reserve, Michael J. Sussman combined the best attributes of the work ethic and dedication to public service, and

WHEREAS, Michael J. Sussman consistently displayed the qualities of compassion, patience, and cooperation while performing his duties under difficult circumstances, and

WHEREAS, Michael J. Sussman, despite being seriously ill, nevertheless continued to provide reserve and regular members of the San Francisco Police Department with his support and goodwill, now therefore be it

RESOLVED, that the Police Commission of the San Francisco Police Department, with sincere gratitude and appreciation, hereby commends Michael J. Sussman posthumously for his professionalism and many years of dedicated volunteer service to the City and County of San Francisco.

AYES: Commissioners Daly, Hsieh, Nelder, Sanchez, Toler

RESOLUTION NO. 797-85

HEARING ON THE DISCIPLINARY CHARGES FILED AGAINST POLICE OFFICER LARRY MURDOCK, MISSION STATION

WHEREAS, the date for the hearing on the disciplinary charges filed against Police Officer Larry Murdock, Mission Station, was called it having been set for this date; and

WHEREAS, it was requested by Mr. Jerry W. Akins, Attorney at Law, representing the San Francisco Police Department, that the date for the hearing before the Police Commission be set for July 25, 1985; therefore be it

RESOLVED, that the hearing of the disciplinary charges filed against Police Officer Larry Murdock, Mission Station, is set for Thursday, July 25, 1985 at 1730 hours in Room 551, Hall of Justice.

AYES: Commissioners Daly, Hsieh, Nelder, Sanchez, Toler

RESOLUTION NO. 799-85

HEARING ON THE DISCIPLINARY CHARGES FILED AGAINST POLICE OFFICER ROY RAMOS, NORTHERN STATION

WHEREAS, the date for the hearing on the disciplinary charges filed against Police Officer Roy Ramos, Northern Station, was called it having been set for this date; and

WHEREAS, it was requested by Mr. Jerry W. Akins, Attorney at Law, representing the San Francisco Police Department, that the date for the hearing before the Police Commission be set for August 8, 1985; therefore be it

RESOLVED, that the hearing of the disciplinary charges filed against Police Officer Roy Ramos, Northern Station, is set for Thursday, August 8, 1985 at 1730 hours in Room 551, Hall of Justice.

AYES: Commissioners Daly, Hsieh, Nelder, Sanchez, Toler

THE MEETING WAS THEREFORE ADJOURNED AT 7:55 P.M.

Willie E. Frazier

LIEUTENANT WILLIE E. FRAZIER
SECRETARY
THE POLICE COMMISSION

JULY 25, 1985 SPECIAL MEETING

The Police Commission of The City and County of San Francisco met in their chambers, Room 512, Hall of Justice, 850 Bryant Street, on Thursday, July 25, 1985, at 1650 Hours in a Special Meeting.

PRESENT: Commissioners Sanchez, Nelder, Hsieh,
ABSENT: Commissioners Toler, Daly

Commissioner Sanchez presiding.

1. Meet and Confer with POA on General Order B-6 (Uniform and Equipment Classes).

JULY 25, 1985 SPECIAL MEETING

The Police Commission of The City and County of San Francisco met in their chambers, Room 512, 1985, Hall of Justice, 850 Bryant Street, on Thursday, July 25, 1985, at 1700 Hours in a Closed Session.

PRESENT: Commissioners Sanchez, Nelder, Hsieh,
ABSENT: Commissioners Toler, Daly

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Commissioner Sanchez presiding.

1. Attorney-Client Conference

APPROVAL OF MINUTES OF MEETING OF JUNE 27, 1985

Approval of Minutes of the Meeting of June 27, 1985. The Commissioners having received, approved and returned copies of same.

APPROVAL OF CONSENT CALENDAR

Recommendation of the City Attorney for settlement of the following claims against the City and County of San Francisco:

RESOLUTION NO. 853-85

HUMBERTO LANDA vs. CITY AND COUNTY OF SAN FRANCISCO, et al

RESOLVED, that the recommendation of the City Attorney for settlement of the litigation of Humberto Landa in the sum of $12,500.00 in Superior Court No. 813-099 entitled "Humberto Landa vs. City and County of San Francisco, Christine Lee, Marlene Willhoite, Harold Butler and Harry Soulett, and DOES 1 through 5, inclusive" as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: January 29, 1983

AYES: Commissioners Hsieh, Nelder, Sanchez
ABSENT: Commissioners Daly, Toler

RESOLUTION NO. 854-85

LUIS ARNALDO RAMOS vs. CITY AND COUNTY OF SAN FRANCISCO, et al

RESOLVED, that the recommendation of the City Attorney for settlement of the litigation of Luis Arnaldo Ramos in the sum of $4,000.00 in Superior Court No. 831-703 entitled "Luis Arnaldo Ramos vs. City and County of San Francisco, et al" as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: February 28, 1984

AYES: Commissioners Hsieh, Nelder, Sanchez
ABSENT: Commissioners Daly, Toler

RESOLUTION NO. 855-85

HOWARD FALLON vs. CITY AND COUNTY OF SAN FRANCISCO, et al

RESOLVED, that the recommendation of the City Attorney for settlement of the litigation of Howard Fallon in the sum of $7,900.00 in Superior Court No. 804-722 entitled "Howard Fallon vs. City and County of San Francisco, San Francisco Police Department, Richard Carl Montero, and DOES I through XX" as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: March 30, 1982

AYES: Commissioners Hsieh, Nelder, Sanchez
ABSENT: Commissioners Daly, Toler

TRAVELING EXPENSE VOUCHER - APPROVED

RESOLUTION NO. 858-85

RESOLVED, that the Traveling Expense Voucher submitted by the following named member of the Police Department for expenses incurred in attending the below indicated program, be, and the same is hereby approved.

Officer James R. Seim (Latent Print Techniques
(Sacramento, California
(6/17/85 - 6/21/85
($350.40

AYES: Commissioners Hsieh, Nelder, Sanchez
ABSENT: Commissioners Daly, Toler

TRAVELING EXPENSE VOUCHER - APPROVED

RESOLUTION NO. 859-85

RESOLVED, that the Traveling Expense Vouchers submitted by the following named members of the Police Department for expenses incurred in attending the below indicated program, be, and the same are hereby approved.

Lt. Edmund Pecinovsky (Fair Labor Standards Act Workshop
(Attorney Rea Puccinelli)
(San Jose, California
(6/12/85
($70.00 each

AYES: Commissioners Hsieh, Nelder, Sanchez
ABSENT: Commissioners Daly, Toler

TRAVELING EXPENSE VOUCHER - APPROVED

RESOLUTION NO. 860-85

RESOLVED, that the Traveling Expense Voucher submitted by the following named member of the Police Department for expenses incurred in attending the below indicated program, be, and the same is hereby approved.

Lt. Donald Carlson (Middle Management Training
(Santa Cruz, California
(6/17/85 - 6/28/85
($1,144.00

AYES: Commissioners Hsieh, Nelder, Sanchez
ABSENT: Commissioners Daly, Toler

TRAVELING EXPENSE VOUCHER - APPROVED

RESOLUTION NO. 861-85

RESOLVED, that the Traveling Expense Voucher submitted by the following named member of the Police Department for expenses incurred in attending the below indicated program, be, and the same is hereby approved.

Lt. Donald Carlson (Team Building Workshop
(Santa Cruz, California
(7/8/85 - 7/10/85
($52.00)

AYES: Commissioners Hsieh, Nelder, Sanchez
ABSENT: Commissioners Daly, Toler

TRAVELING EXPENSE VOUCHER - APPROVED

RESOLUTION NO. 862-85

RESOLVED, that the Traveling Expense Voucher submitted by the following named member of the Police Department for expenses incurred in attending the below indicated program, be, and the same is hereby approved.

Capt. Henry Eidler (P.O.S.T. Executive Development Course
(Pomona, California
(6/9/85 - 6/21/85
($767.00

AYES: Commissioners Hsieh, Nelder, Sanchez
ABSENT: Commissioners Daly, Toler

TRAVELING EXPENSE VOUCHER - APPROVED

RESOLUTION NO. 863-85

RESOLVED, that the Traveling Expense Voucher submitted by the following named member of the Police Department for expenses incurred in attending the below indicated program, be, and the same is hereby approved.

Lt. Donald P. Carlson (Management Course
(Santa Cruz, California
(5/13/85 - 5/24/85
($931.00

AYES: Commissioners Hsieh, Nelder, Sanchez
ABSENT: Commissioners Daly, Toler

RESOLUTION NO. 856-85

RECOMMENDATION OF THE CHIEF THAT INSPECTOR HOWARD D. BAILEY BE AUTHORIZED TO ATTEND THE COMBINED AMERICAN POLYGRAPH ASSOC. AND THE CALIFORNIA ASSOC. OF POLYGRAPH EXAMINERS SEMINAR IN RENO FROM AUGUST 4 TO AUGUST 8, 1985

RESOLVED, that the recommendation of the Chief of Police that Inspector Howard D. Bailey, Homicide Section, be authorized to attend the combined American Polygraph Association and the California Association of Polygraph Examiners Seminar conducted by the same associations in Reno, Nevada from August 4 to August 8, 1985, is hereby approved, and be it further

RESOLVED, that expenses in the amount of $555.00 for tuition and subsistence would be defrayed by the Department Training Fund.

AYES: Commissioners Hsieh, Nelder, Sanchez
ABSENT: Commissioners Daly, Toler

RESOLUTION NO. 857-85

AUTHORIZATION OF SGT. BILLYE MORROW TO ATTEND THE WEAPONLESS DEFENSE INSTRUCTOR COURSE IN SANTA ROSA FROM AUGUST 5 TO AUGUST 16, 1985

RESOLVED, that the recommendation of the Chief of Police that Sergeant Billye Morrow, Training Section, be authorized to attend the Weaponless Defense Instructor Course conducted by the Northern California Criminal Justice Training and Educational System in Santa Rosa, California from August 5 to August 16, 1985, is hereby approved, and be it further

RESOLVED, that expenses in the amount of $722.49 for travel, subsistence and tuition will be reimbursed by P.O.S.T.

AYES: Commissioners Hsieh, Nelder, Sanchez
ABSENT: Commissioners Daly, Toler

POLICE COMMISSION REPORT

Commissioner Sanchez said the Police Commission met in Closed Session this afternoon in accordance with the Brown Act on a Personnel matter and no vote was taken.

CHIEF'S REPORT TO THE POLICE COMMISSION

There was no report tonight.

CONSIDERATION FOR ADOPTION OF EVENT MANAGEMENT MANUAL

This item continued until next week

RESOLUTION NO. 845-85

DEPARTMENT GENERAL ORDER I-2, "PROBATION HOLDS" - APPROVED

RESOLVED, that the Police Commission hereby adopts Department General Order I-2, "Probation Holds".

AYES: Commissioners Hsieh, Nelder, Sanchez
ABSENT: Commissioners Daly, Toler

RESOLUTION NO. 846-85

DEPARTMENT GENERAL ORDER P-10, "DEPARTMENT TRAINING PLAN"

RESOLVED, that the Police Commission hereby adopts Department General Order P-10, "Department Training Plan".

AYES: Commissioners Hsieh, Nelder, Sanchez
ABSENT: Commissioners Daly, Toler

NOTIFICATION AND FILING OF CHARGES AGAINST POLICE OFFICER DENNIS M. COSTANZO, INGLESIDE STATION

RESOLUTION NO. 842-85

POLICE OFFICER DENNIS M. COSTANZO, INGLESIDE STATION

WHEREAS, charges of violating the Rules and Procedures of the San Francisco Police Department were filed against Police Officer Dennis M. Costanzo, Ingleside Station, as follows:

SPECIFICATION NO. 1

Failure to prevent crime while off duty (violation of Rule A-2 of General Order D-1 of the San Francisco Police Department);

SPECIFICATION NO. 2

Failure to prevent crime while off duty (violation of Rule A-2 of General Order D-1 of the San Francisco Police Department);

SPECIFICATION NO. 3

Engaging in conduct which tends to subvert the good order, efficiency or discipline of the Department and which reflects discredit upon the Department (violation of Rule A-9 of General Order D-1 of the San Francisco Police Department).

by Cornelius P. Murphy, Chief of Police of the San Francisco Police Department; therefore be it

RESOLVED, that the Date for the Setting of the Hearing of the disciplinary charges filed against Police Officer Dennis Costanzo, Ingleside Station, is set for Thursday, August 8, 1985 at 1730 hours in Room 551, Hall of Justice.

AYES: Commissioners Hsieh, Nelder, Sanchez
ABSENT: Commissioners Daly, Toler

RESOLUTION NO. 844-85

POLICE SERGEANT STEVEN T. SMITH, RICHMOND STATION

WHEREAS, charges of violating the Rules and Procedures of the San Francisco Police Department were filed against Police Sergeant Steven T. Smith, Richmond Station, as follows:

SPECIFICATION NO. 1

Engaging in conduct which subvert the good order, efficiency and discipline of the Department and which reflects discredit upon the Department (violation of Rule A-9 of General Order D-1 of the San Francisco Police Department).

by Cornelius P. Murphy, Chief of Police of the San Francisco Police Department; therefore be it

RESOLVED, that the hearing of the disciplinary charges filed against Police Sergeant Steven T. Smith, Richmond Station, is set for Thursday, August 29, 1985 at 1730 hours in Room 551, Hall of Justice.

AYES: Commissioners Hsieh, Nelder, Sanchez
ABSENT: Commissioners Daly, Toler

NOTIFICATION AND FILING OF CHARGES AGAINST POLICE OFFICER DENNIS M. COSTANZO, INGLESIDE STATION

RESOLUTION NO. 842-85

POLICE OFFICER DENNIS M. COSTANZO, INGLESIDE STATION

WHEREAS, charges of violating the Rules and Procedures of the San Francisco Police Department were filed against Police Officer Dennis M. Costanzo, Ingleside Station, as follows:

SPECIFICATION NO. 1

Failure to prevent crime while off duty (violation of Rule A-2 of General Order D-1 of the San Francisco Police Department);

SPECIFICATION NO. 2

Failure to prevent crime while off duty (violation of Rule A-2 of General Order D-1 of the San Francisco Police Department);

SPECIFICATION NO. 3

Engaging in conduct which tends to subvert the good order, efficiency or discipline of the Department and which reflects discredit upon the Department (violation of Rule A-9 of General Order D-1 of the San Francisco Police Department).

by Cornelius P. Murphy, Chief of Police of the San Francisco Police Department; therefore be it

RESOLVED, that the Date for the Setting of the Hearing of the disciplinary charges filed against Police Officer Dennis Costanzo, Ingleside Station, is set for Thursday, August 8, 1985 at 1730 hours in Room 551, Hall of Justice.

AYES: Commissioners Hsieh, Nelder, Sanchez
ABSENT: Commissioners Daly, Toler

NOTIFICATION AND FILING OF CHARGES AGAINST POLICE OFFICER EARL E. WISMER, NORTHERN STATION

RESOLUTION NO. 843-85

WHEREAS, charges of violating the Rules and Procedures of the San Francisco Police Department were filed against Police Officer Earl E. Wismer, Norther Station, as follows:

CHARGE NO 1

Engaging in conduct which tends to subvert the good order, efficiency and discipline of the Department and which reflects discredit upon the Department (violation of Rule A-9 of General Order D-1 of the San Francisco Police Department).

by Cornelius P. Murphy, Chief of Police of the San Francisco Police Department; therefore be it

RESOLVED, that the Date for the Setting of the Hearing of the disciplinary charges filed against Police Officer Earl E. Wismer, Northern Station, is set for Thursday, August 8, 1985 at 1730 hours in Room 551, Hall of Justice.

HEARING OF POLICE OFFICER LARRY MURDOCK, MISSION STATION

WHEREAS, the date for the hearing on the disciplinary charges filed against Police Officer Larry Murdock, Mission Station, was called it having been set for this date. Police Officer Larry Murdock was charged with violating the Rules and Procedures as follows:

SPECIFICATION NO. 1

Failure to comply with Department weight standards (violation of Section II, Subsection A-1 of General Order B-1 of the San Francisco Police Department).

in a properly verified complaint by Cornelius P. Murphy, Chief of Police of the San Francisco Police Department.

Police Officer Larry Murdock appeared in person and was represented by Mr. Lance Russell, Attorney at Law.

Mr. Jerry Akins, Attorney at Law, appeared as Prosecutor for the San Francisco Police Department.

An opening statement was made by Mr. Jerry Akins for the Prosecution.

An opening statement was made by Attorney Lance Russell
for the Defense.

The charges against Officer Larry Murdock were then read into the record.

Attorney Lance Russell, on behalf of Officer Larry Murdock, made a plea of guilty to the charges.

The Commission unanimously voted to accept the plea of Officer Larry Murdock.

It is the recommendation of the Acting Chief of Police Kevin Mullen that Officer Larry Murdock be suspended for twenty (20) days.

The Commission took the matter under submission, recessed and returned, after which the following resolution was adopted:

RESOLUTION NO. 847-85

HEARING OF POLICE OFFICER LARRY MURDOCK, MISSION STATION
DECISION

WHEREAS, on June 19, 1985, Cornelius P. Murphy, Chief of Police, made and served charges against Police Officer Larry Murdock as follows:

SPECIFICATION NO. 1

Failure to comply with Department weight standards (violation of Section II, Subsection A-1 of General Order B-1 of the San Francisco Police Department).

(1) At all times herein mentioned, Officer Larry Murdock (hereinafter, the accused) was and is a police officer, appointed after March 17, 1970, employed by the San Francisco Police Department, and currently assigned to the Golden Gate Division - Mission District;

(2) As a police officer, the accused was and is responsible for knowing and obeying the Rules, Procedures and Orders of the San Francisco Police Department;

(3) The accused is 5'11-1/2" tall and by Department standards set forth in General Order B-1 has a maximum allowable weight of 204 lbs., which maximum was permitted to be increased to 224.4 lbs., including a 10% allowance for sustaining a reclining blood pressure between 140mm systolic/90 diastolic;

(4) On October 2, 1984, the accused was admonished by the Commanding Officer of Personnel and Training for failure to comply with Department weight standards and was ordered to comply by October 23, 1984;

(5) On October 29, 1984, the accused was weighed at 236 lbs., which exceeded his maximum allowable weight;

(6) On October 30, 1984, the accused was reprimanded by the Chief of Police and ordered to comply with Department weight standards by December 4, 1984;

(7) On December 20, 1984, the accused was weighed at 230 lbs., which exceeded his maximum allowable weight;

(8) On January 22, 1985, a Chief's disciplinary hearing was held for the accused. He stated to the Chief of Police that he could and would comply with General Order B-1 if given 60 days and was therefore ordered by the Chief of Police to comply with Department weight standards by March 22, 1985;

(9) On March 22, 1985, the accused failed to report to the Police Gymnasium to be weighed to verify that he had complied with the order of the Chief of Police;

(10) On April 4, 1985, the accused was weighed at 228 lbs., which exceeded his maximum allowable weight;

(11) On May 21, 1985, the accused was weighed at 230 lbs., which exceeded his maximum allowable weight;

(12) By failing to comply with Department weight standards, the accused violated Section II, Subsection A-1 of General Order B-1 of the San Francisco Police Department, which states in pertinent part:

A. Weight Requirements

1. Male Officers

a. Members must stay within the assigned weight standards below:

b.

HEIGHT	MINIMUM WEIGHT	MAXIMUM WEIGHT
6'	156	204

and

WHEREAS, a hearing on said charges was held before the Police Commission pursuant to Section 8.343 of the Charter of the City and County of San Francisco on Thursday, July 25, 1985, and on Thursday, July 25, 1985, the matter was submitted to the Police Commission for decision; and

WHEREAS, the Police Commission finds that the said charges made and filed against Police Officer Larry Murdock as contained in Specification No. 1, Section II, Subsection A-1 of General Order B-1 of the San Francisco Police Department are sustained by the evidence presented at the hearing; therefore be it

RESOLVED, that it is the order of the Police Commission that Police Officer Larry Murdock, Mission Station, be suspended for thirty (30) days which shall be held in abeyance for eight weeks. At that time he is to be checked by the Department physician, and if he is not in compliance, the thirty (30) calendar day suspension, held in abeyance, will therefore be imposed.

AYES: Commissioners Hsieh, Nelder, Sanchez
ABSENT: Commissioners Daly, Toler

RESOLUTION NO. 844-85

POLICE SERGEANT STEVEN T. SMITH, RICHMOND STATION

WHEREAS, charges of violating the Rules and Procedures of the San Francisco Police Department were filed against Police Sergeant Steven T. Smith, Richmond Station, as follows:

SPECIFICATION NO. 1

Engaging in conduct of which subvert the good order, efficiency and discipline of the Department and which reflects discredit upon the Department (violation of Rule A-9 of General Order D-1 of the San Francisco Police Department).

by Cornelius P. Murphy, Chief of Police of the San Francisco Police Department; therefore be it

RESOLVED, that the Date for the Setting of the Hearing of the disciplinary charges filed against Police Sergeant Steven T. Smith, Richmond Station, is set for Thursday, August 8, 1985 at 1730 hours in Room 551, Hall of Justice.

AYES: Commissioners Hsieh, Nelder, Sanchez
ABSENT: Commissioners Daly, Toler

THE MEETING WAS THEREFORE ADJOURNED AT 7:13 P.M. IN MEMORY OF INSPECTOR RITA GROVE AND STABLEMAN RAYMOND MINTON

Willie E. Frazier

LIEUTENANT WILLIE E. FRAZIER
SECRETARY
THE POLICE COMMISSION

AUGUST 1, 1985 SPECIAL MEETING

The Police Commission of the City and County of San Francisco met in their Chambers, Room 512, Hall of Justice, 850 Bryant Street, on Thursday, August 1, 1985 at 1700 hours in a Special Meeting.

PRESENT: Commissioners Daly, Hsieh, Toler, Nelder Sanchez

Commissioner Sanchez presiding.

1. Attorney-Client Conference

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AUGUST 1, 1985 REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their Chambers, Room 551, Hall of Justice, 850 Bryant Street, on Thursday, August 1, 1985 at 1730 hours in a Regular Meeting.

PRESENT: Commissioners Daly, Toler, Nelder, Hsieh Sanchez

Commissioner Sanchez presiding.

APPROVAL OF MINUTES OF THE MEETING OF JULY 11, 1985

Approval of Minutes of the Meeting of July 11, 1985. The Commissioners having received, approved and returned copies of same.

APPROVAL OF CONSENT CALENDAR

Recommendation of the City Attorney for settlement of the claims against the City and County of San Francisco:

RESOLUTION NO. 864-85

JAMES L. MITCHELL and ARTIE J. MITCHELL vs. CITY & COUNTY OF SAN FRANCISCO - APPROVED

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of James L. Mitchell and Artie J. Mitchell in the sum of $14,000.00 in United States District Court No. C83-2751 MHP, as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: May 31, 1983

AYES: Commissioners Daly, Toler, Hsieh, Nelder, Sanchez

RESOLUTION NO. 872-85

YELLOW CAB CO-OP, INC.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Yellow Cab Co-Op, Inc. in the sum of $106.50 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 24, 1985 and June 18, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Toler, Sanchez

RESOLUTION NO. 873-85

LAURENCE M. LETOFSKY

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Laurence M. Letofsky in the sum of $100.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: June 23, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Toler, Sanchez

RESOLUTION NO. 874-85

ABC TOWING (CONNOR)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing (Connor) in the sum of $87.75 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: June 4, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Toler, Sanchez

RESOLUTION NO. 875-85

ABC TOWING (MORA)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing (Mora) in the sum of $87.75 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 29, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Toler, Sanchez

RESOLUTION NO. 876-85

ABC TOWING (SANDERS)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing (Sanders) in the sum of $87.75 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: June 6, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Toler, Sanchez

RESOLUTION NO. 877-85

ABC TOWING (SPARKS)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing (Sparks) in the sum of $87.75 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: June 11, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Toler, Sanchez

RESOLUTION NO. 878-85

ABC TOWING (MARTIN)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing (Martin) in the sum of $87.75 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: June 10, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Toler, Sanchez

RESOLUTION NO. 879-85

JACK E. WILSON

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Jack E. Wilson in the sum of $76.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: July 1, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Toler, Sanchez

RESOLUTION NO. 880-85

HELENE M. SPIVAK

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Helene M. Spivak in the sum of $76.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: June 26, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Toler, Sanchez

RESOLUTION NO. 881-85

STEPHEN VINCENT

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Stephen Vincent in the sum of $64.75 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: June 24, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Toler, Sanchez

RESOLUTION NO. 882-85

BEATE SIEDLER

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Beate Siedler in the sum of $64.75 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: June 5, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Toler, Sanchez

RESOLUTION NO. 883-85

BARBARA J. PATTERSON

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Barbara J. Patterson in the sum of $64.75 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: June 22, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Toler, Sanchez

RESOLUTION NO. 884-85

OLGA ROMERO

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Olga Romero in the sum of $64.75 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: June 24, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Toler, Sanchez

RESOLUTION NO. 885-85

ABC TOWING (BRIGHT)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing (Bright) in the sum of $64.75 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: July 8, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Toler, Sanchez

RESOLUTION NO. 886-85

MYRTLE I. BOYKIN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Myrtle I. Boykin in the sum of $59.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: June 11, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Toler, Sanchez

RESOLUTION NO. 887-85

WENDY BUKOLSKY

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Wendy Bukolsky in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 21, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Toler, Sanchez

RESOLUTION NO. 888-85

VICTOR CHENG

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Victor Cheng in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: June 29, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Toler, Sanchez

RESOLUTION NO. 889-85

JENIFER T. DANG

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Jenifer T. Dang in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: June 26, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Toler, Sanchez

RESOLUTION NO. 890-85

JUDY G. MARSHALL

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Judy G. Marshall in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 28, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Toler, Sanchez

RESOLUTION NO. 891-85

CRISTINA LYNN McCOWN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Cristina Lynn McCown in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: June 19, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Toler, Sanchez

RESOLUTION NO. 892-85

CATHERINE GRIFFIN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Catherine Griffin in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 30, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Toler, Sanchez

RESOLUTION NO. 893-85

CHARLES B. AUTONELLI

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Charles B. Autonelli in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: June 25, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Toler, Sanchez

RESOLUTION NO. 894-85

KATHERINE SZYMKOWICZ

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Katherine Szymkowicz in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: June 20, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Toler, Sanchez

RESOLUTION NO. 895-85

NILS NILSSON

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Nils Nilsson in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: June 29, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Toler, Sanchez

RESOLUTION NO. 896-85

JOHN LUSE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of John Luse in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: June 21, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Toler, Sanchez

RESOLUTION NO. 897-85

MARY C. EVERETT

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Mary C. Everett in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: June 20, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Toler, Sanchez

RESOLUTION NO. 898-85

LUIS A. NEIRA

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Luis A. Neira in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: June 10, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Toler, Sanchez

RESOLUTION NO. 899-85

JERRY PACATTE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Jerry Pacatte in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 21, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Toler, Sanchez

RESOLUTION NO. 900-85

MICHAEL A. LaROCCA

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Michael A. LaRocca in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: June 21, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Toler, Sanchez

RESOLUTION NO. 901-85

JOE TRUSS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Joe Truss in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: July 9, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Toler, Sanchez

RESOLUTION NO. 902-85

CINDY L. THOMAS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Cindy L. Thomas in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: June 1, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Toler, Sanchez

RESOLUTION NO. 903-85

JAMES R. QUARTERS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of James R. Quarters in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: June 24, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Toler, Sanchez

RESOLUTION NO. 904-85

ANNE C. RUSSELL

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Anne C. Russell in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: June 5, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Toler, Sanchez

RESOLUTION NO. 905-85

KEN D. OISHI

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Ken D. Oishi in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: June 18, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Toler, Sanchez

RESOLUTION NO. 906-85

PAUL T. REMAGEN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Paul T. Remagen in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: June 21, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Toler, Sanchez

RESOLUTION NO. 907-85

RICHARD HARVEY

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Richard Harvey in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 29, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Toler, Sanchez

RESOLUTION NO. 908-85

CRAIG JOHN HEALY

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Craig John Healy in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: June 11, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Toler, Sanchez

RESOLUTION NO. 909-85

WILLIAM C. SEPPANEN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of William C. Seppanen in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: June 24, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Toler, Sanchez

RESOLUTION NO. 910-85

MARY BERTOLOZZI

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Mary Bertolozzi in the sum of $50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: July 3, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Toler, Sanchez

RESOLUTION NO. 911-85

ABC TOWING (WELCH)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing (Welch) in the sum of $34.50 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 22, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Toler, Sanchez

RESOLUTION NO. 865-85

TED DIAMONDOPOULOS and CYNTHEA PERSON vs. CITY & COUNTY OF SAN FRANCISCO - APPROVED

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Ted Diamondopoulos and Cynthea Person in the sum of $3,500.00 in Superior Court No. 768-915 entitled "Ted Diamondopoulos and Cynthea Person vs. City & County of San Francisco, et al.," as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: December 22, 1979

AYES: Commissioners Daly, Toler, Hsieh, Toler, Sanchez

RESOLUTION NO. 867-85

AUTHORIZATION OF OFFICERS RICHARD WALLET, ROBERT RYAN, EDWARD WEAVER, JOHN SWEENEY, STANLEY HARRIS AND MICHAEL LUJAN, E&I DIV., TO ATTEND THE SKIDMARK ANALYSIS IN ACCIDENT INVESTIGATION COURSE IN EUREKA FROM AUG. 12 TO AUG. 16, 1985

RESOLVED, that the recommendation of the Chief of Police that Officers Richard Wallett, Robert Ryan, Edward Weaver, John Sweeney, Stanley Harris and Michael Lujan, Enforcement and Investigations Division, be authorized to attend the Skidmark Analysis in Accident Investigation Course, conducted by the Northern California Criminal Justice Training and Education System in Eureka, California from August 12 to August 16, 1985, is hereby approved, and be it further

RESOLVED, that expenses in the amount of $412.45 each for subsistence and travel will be reimbursed by P.O.S.T. Expenses in the amount of $18.50 each for registration, syllabus and parking will be defrayed by the Department Training Fund.

AYES: Commissioners Daly, Hsieh, Nelder, Toler, Sanchez

RESOLUTION NO. 868-85

AUTHORIZATION OF INSPECTORS DALE SMITH AND EDWIN KENNEY, TO ATTEND THE NORTHWEST WARRANT/TRANSPORTATION OFFICER CONFERENCE IN NEWPORT, OREGON FROM AUGUST 21 TO AUGUST 23, 1985

RESOLVED, that the recommendation of the Chief of Police that Inspectors Dale Smith and Edwin Kenney of the Fugitive Detail, be authorized to attend the Northwest Warrant/Transportation Officer Conference, conducted by the Northwest Warrant/Transportation Officer Association in Newport, Oregon from August 21 to August 23, 1985, is hereby approved, and be it further

RESOLVED, that expenses in the amount of $390.00 each for subsistence and registration will be defrayed by the Department Training Fund. The Department will save $730.00 for airfare and car rental by these members using a Department vehicle and credit card (gasoline).

AYES: Commissioners Daly, Hsieh, Nelder, Toler, Sanchez

RESOLUTION NO. 869-85

AUTHORIZATION OF OFFICER LOYCE TUCKER TO ATTEND THE POLICE FLEET MANAGEMENT COURSE IN SAN DIEGO FROM 8/26 TO 8/28/85

RESOLVED, that the recommendation of the Chief of Police that Officer Loyce Tucker, Fleet Management, be authorized to attend the Police Fleet Management Course, conducted by the International Association of Chiefs of Police, Inc., in San Diego, California from August 26 to August 28, 1985, is hereby approved, and be it further

RESOLVED, that expenses in the amount of $840.00 for subsistence, airfare and tuition will be defrayed by the Department Training Fund.

AYES: Commissioners Daly, Hsieh, Nelder, Toler, Sanchez

TRAVELING EXPENSE VOUCHERS - APPROVED

RESOLUTION NO. 870-85

RESOLVED, that the Traveling Expense Vouchers submitted by the following named members of the Police Department for expenses incurred in attending the below indicated program, be, and the same is hereby approved.

Inspector Thomas Tyrrell
Inspector William Vince
(Juvenile Law Enforcement Officers Training Course)
(Pacific Grove, California)
(6/2/85 - 6/7/85)
($439.00 each)

AYES: Commissioners Daly, Hsieh, Nelder, Toler, Sanchez

RESOLUTION NO. 871-85

RESOLVED, that the Traveling Expense Vouchers submitted by the following named members of the Police Department for expenses incurred in attending the below indicated program, be, and the same are hereby approved.

Inspector Christopher Weld
Inspector Richard Weich
Inspector Kenneth Davis
(Vice Investigation Course)
(San Jose, California)
(6/24/85 - 6/28/85)
($573.17 each)

AYES: Commissioners Daly, Hsieh, Nelder, Toler, Sanchez

POLICE COMMISSION REPORT

Commissioner Sanchez said the Police Commission met in Closed Session this afternoon in accordance with the Brown Act on Attorney Client matters and also a Personnel matter and no vote was taken.

CHIEF'S REPORT TO THE POLICE COMMISSION

The Chief commented briefly on the Annual Grand Jury report on the Police Department.

STATUS REPORT ON THE OPERATION OF THE OFFICE OF CITIZEN COMPLAINTS

The Director of OCC appeared and reported that the OCC was making good progress as far as backlog of cases being cleared up and office procedures being adhered to.

CONSIDERATION FOR ADOPTION THE SAN FRANCISCO POLICE DEPARTMENT EVENT MANAGEMENT MANUAL

Continued until two weeks.

RESOLUTION NO. 866-85

NOTIFICATION AND FILING OF CHARGES AGAINST POLICE OFFICER CHRISTOPHER OLOCCO, SOUTHERN STATION

WHEREAS, charges of violating the Rules and Procedures of the San Francisco Police Department were filed against Police Officer Christopher Olocco, Southern Station, as follows:

CHARGE NO. 1

Drinking intoxicating liquor on duty and in uniform (violation of Rules III, A and III, C of General Order D-1 of the San Francisco Police Department);

CHARGE NO. 2

Engaging in conduct which tends to subvert the good order, efficiency and discipline of the Department and which reflects discredit upon the Department (violation of Rule A-9 of General order D-1 of the San Francisco Police Department).

by Cornelius P. Murphy, Chief of Police, San Francisco Police Department; therefore be it

RESOLVED, that the date for the setting of the hearing of the disciplinary charges filed against Officer Christopher Olocco, Southern Station, is set for Thursday, August 8, 1985 at 5:30 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Daly, Toler, Hsieh, Nelder, Sanchez

HEARING OF PATROL SPECIAL OFFICER KUNG MING CHIU, CENTRAL POLICE DISTRICT

The hearing of Patrol Special Officer Kung Ming Chiu, Central Police District, was called it having been set for this date.

Patrol Special Officer Kung Ming Chiu appeared in person and was represented by Mr. John R. Braun, Attorney at Law.

Mr. Michael E. Gash, Attorney at Law, appeared on behalf of the San Francisco Police Department.

An opening statement was made by Mr. Michael E. Gash for the Prosecution.

An opening statement was made by Mr. John R. Braun for the Defense.

The charges were read into the record by Attorney Michael Gash.

The following named witnesses appeared for the Prosecution, were sworn and testified:

Captain Lawrence Gray, Company A
Mr. Wang C. Liu, 642 Taraval, San Francisco

The following exhibits were entered into evidence by the Prosecution:

Exhibit #1	Incident Report No. 850322020 dated 3/22/85
Exhibit #2	Incident Report No. 850322020 dated 3/25/85
Exhibit #3	Inter-Dept. Memo by Capt. Gray to Deputy Chief Eimil dated 3/25/85

The following named witnesses appeared for the Defense, were sworn and testified:

Mrs. Mildred W. Levine, Attorney at Law
Patrol Special Officer Kung Ming Chiu, Co. A and Co. E

The following exhibit was entered into evidence by the Defense:

Exhibit A — Letter dated 7/30/85 from Neil W. Ross, Program Coordinator for Center for Special Problems to Mr. Michael Shaw, Pretrial Diversion Project.

After listening to testimony from the above parties, the meeting was adjourned at 9:38 p.m., and the hearing was continued to Thursday, August 22, 1985 at 5:00 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Daly, Hsieh, Nelder, Toler, Sanchez

(The entire proceedings were taken in shorthand form by Ms Linda Pransky, CSR).

Recess taken during the hearing of Patrol Special Officer Kung Ming Chiu:

9:30 p.m. to 9:35 p.m.

THE MEETING WAS THEREFORE ADJOURNED AT 9:35 P.M.

LIEUTENANT WILLIE E. FRAZIER
SECRETARY
THE POLICE COMMISSION

08 AUGUST 1985 SPECIAL MEETING

The Police Commission of the City and County of San Francisco met in their Chambers, Room 512, Hall of Justice, 850 Bryant Street on Thursday, August 8, 1985 in a Closed Session.

PRESENT: Commissioners Daly, Toler, Hsieh, Sanchez
ABSENT: Commissioner Nelder

Commissioner David Sanchez presiding.

1. Attorney-Client Conference

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08 AUGUST 1985 REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their Chambers, Room 551, Hall of Justice, 850 Bryant Street, on Thursday, August 8, 1985 at 1730 hours in a Regular Meeting.

PRESENT: Commissioners Daly, Toler, Hsieh, Sanchez
ABSENT: Commissioner Nelder

Commissioner David Sanchez presiding.

APPROVAL OF MINUTES OF THE MEETING OF JULY 18, 1985

Approval of Minutes of the Meeting of July 18, 1985. The Commissioners having received, approved and returned copies of same.

APPROVAL OF CONSENT CALENDAR

Recommendation of the City Attorney for settlement of the claims against the City and County of San Francisco:

RESOLUTION NO. 923-85

JOHN I. CONDON

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of John I. Condon in the sum of $411.00 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: October 1, 1984

AYES: Commissioners Daly, Hsieh, Sanchez, Toler
ABSENT: Commissioner Nelder

RESOLUTION NO. 924-85

DAWN COX

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Dawn Cox in the sum of $317.67 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: March 19, 1985

AYES: Commissioners Daly, Hsieh, Sanchez, Toler
ABSENT: Commissioner Nelder

RESOLUTION NO. 925-85

JAMES I. NOURSE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of James I. Nourse in the sum of $305.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: On or about July 1984
(Hearing date 6/19/85)

AYES: Commissioners Daly, Hsieh, Sanchez, Toler
ABSENT: Commissioner Nelder

RESOLUTION NO. 926-85

FRANKLIN H. MALETSKY

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Franklin H. Maletsky in the sum of $241.50 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 11, 1985

AYES: Commissioners Daly, Hsieh, Sanchez, Toler
ABSENT: Commissioner Nelder

RESOLUTION NO. 927-85

TOMAS M. HERNANDEZ

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Tomas M. Hernandez in the sum of $122.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 24, 1985

AYES: Commissioners Daly, Hsieh, Sanchez, Toler
ABSENT: Commissioner Nelder

RESOLUTION NO. 928-85

IRINA LAPIN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Irina Lapin in the sum of 110.75 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: June 7, 1985

AYES: Commissioners Daly, Hsieh, Sanchez, Toler
ABSENT: Commissioner Nelder

RESOLUTION NO. 929-85

ABC TOWING (HART)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing (Hart) in the sum of 37.75 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 9, 1985

AYES: Commissioners Daly, Hsieh, Sanchez, Toler
ABSENT: Commissioner Nelder

RESOLUTION NO. 930-85

ABC TOWING (FREDERICK)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing (Frederick) in the sum of $87.75 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 6, 1985

AYES: Commissioners Daly, Hsieh, Sanchez, Toler
ABSENT: Commissioner Nelder

RESOLUTION NO. 931-85

WENDELIN CODY

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Wendelin Cody in the sum of $76.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 22, 1985

AYES: Commissioners Daly, Hsieh, Sanchez, Toler
ABSENT: Commissioner Nelder

RESOLUTION NO. 932-85

ALTON R. DIXON, Jr.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Alton R. Dixon, Jr. in the sum of $64.75 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: April 11, 1985

AYES: Commissioners Daly, Hsieh, Sanchez, Toler
ABSENT: Commissioner Nelder

RESOLUTION NO. 933-85

EVELYN DEL CASTELLO

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Evelyn Del Castello in the sum of $64.75 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: June 3, 1985

AYES: Commissioners Daly, Hsieh, Sanchez, Toler
ABSENT: Commissioner Nelder

RESOLUTION NO. 934-85

REX BROWN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Rex Brown in the sum of $64.75 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 22, 1985

AYES: Commissioners Daly, Hsieh, Sanchez, Toler
ABSENT: Commissioner Nelder

RESOLUTION NO. 935-85

HORACE G. MORDEN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Horace G. Morden in the sum of $57.75 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 31, 1985

AYES: Commissioners Daly, Hsieh, Sanchez, Toler
ABSENT: Commissioner Nelder

RESOLUTION NO. 936-85

FELIX CONTRERAS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Felix Contreras in the sum of $53.25 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: June 7, 1985

AYES: Commissioners Daly, Hsieh, Sanchez, Toler
ABSENT: Commissioner Nelder

RESOLUTION NO. 937-85

FRANCIS MATTHAI

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Francis Matthai in the sum of $53.25 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: May 30, 1985

AYES: Commissioners Daly, Hsieh, Sanchez, Toler
ABSENT: Commissioner Nelder

RESOLUTION NO. 938-85

JOHN MADDEX

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of John Maddex in the sum of $53.25 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: May 31, 1985

AYES: Commissioners Daly, Hsieh, Sanchez, Toler
ABSENT: Commissioner Nelder

RESOLUTION NO. 939-85

BIU CHIN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Biu Chin in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: June 29, 1985

AYES: Commissioners Daly, Hsieh, Sanchez, Toler
ABSENT: Commissioner Nelder

RESOLUTION NO. 940-85

GERALD GANZ

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Gerald Ganz in the sum of $26.00 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: May 14, 1985

AYES: Commissioners Daly, Hsieh, Sanchez, Toler
ABSENT: Commissioner Nelder

RESOLUTION NO. 941-85

RUTH BRODESKI

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Ruth Brodeski in the sum of $25.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 7, 1985

AYES: Commissioners Daly, Hsieh, Sanchez, Toler
ABSENT: Commissioner Nelder

RESOLUTION NO. 919-85

ANDREW FILIPEK vs. CITY AND COUNTY OF SAN FRANCISCO

RESOLVED, that judgment made for settlement of litigation of Andrew Filipek in the sum of $13,840.93 plus interest in Municipal Court No. 857-654 on July 8, 1985, as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: February 23, 1983

AYES: Commissioners Daly, Hsieh, Sanchez, Toler
ABSENT: Commissioner Nelder

AUTHORIZATION OF LT. ALEXANDER STEVENS, LEGAL DIVISION, TO ATTEND THE FBI NATIONAL ACADEMY ASSOCIATES TRAINING SESSION IN SAN DIEGO FROM 09/29/85 TO 10/01/85

RESOLUTION NO. 920-85

RESOLVED, that the recommendation of the Chief of Police that Lieutenant Alexander Stevens, Legal Division, be authorized to attend the FBI National Academy Associates Training Session, conducted by the Federal Bureau of Investigation in San Diego, California from September 29 to October 1, 1985, is hereby approved, and be it further

RESOLVED, that expenses in the amount of $470.00 for tuition, airfare, ground transportation and subsistence will be defrayed by the Department Training Fund.

AYES: Commissioners Daly, Hsieh, Sanchez, Toler
ABSENT: Commissioner Nelder

AUTHORIZATION OF SERGEANT ARTHUR W. GERRANS, VICE CRIMES DIVISION, TO ATTEND THE F.B.I. INVESTIGATION NATIONAL ACADEMY IN QUANTICO, VIRGINIA FROM 09/29/85 TO 12/13/85

RESOLUTION NO. 921-85

RESOLVED, that the recommendation of the Chief of Police that Sergeant Arthur W. Gerrans, Vice Crimes Division, be authorized to attend the Federal Bureau of Investigation National Academy in Quantico, Virginia from September 29 to December 13, 1985, is hereby approved, and be it further

RESOLVED, that although all travel expenses will be paid by the U.S. Department of Justice, that Sergeant Gerrans be advanced $800.00 from the Department Training Fund for the purchase of required training materials and to supplement the minimal allowance for subsistence.

AYES: Commissioners Daly, Hsieh, Sanchez, Toler
ABSENT: Commissioner Nelder

TRAVELING EXPENSE VOUCHER - APPROVED

RESOLUTION NO. 922-85

RESOLVED, that the Traveling Expense Voucher submitted by the following named member of the Police Department for expenses incurred in attending the below indicated program, be, and the same is hereby approved.

Lt. Thomas Donohoe — (Vehicular Homicide/DWI Conference (Chicago, Illinois (07/09/85 - 07/13/85 ($1,136.00

AYES: Commissioners Daly, Hsieh, Sanchez, Toler
ABSENT: Commissioner Nelder

POLICE COMMISSION REPORT

The Police Commission met in a Closed-Session and no vote was taken.

CHIEF'S REPORT TO THE POLICE COMMISSION

No Report.

RECOMMENDATIONS OF THE AWARDS COMMITTEE

RESOLUTION NO. 865-85

RESOLVED, that the following-named members of the Police Department, be, and they are hereby granted Awards of Valor- Silver, Bronze and Meritorious Conduct Award, under the provisions of General Order O-5, Section 1-A and 1-C of the San Francisco Police Department, as approved by the Awards Committee on Friday, August 2, 1985:

Officer James W. Bloesch	Silver Medal of Valor
Officer John S. Colla	Silver Medal of Valor
Officer James P. Lassus	Silver Medal of Valor
Officer Henry Parra, Jr.	Silver Medal of Valor
Officer Joseph L. Weatherman	Silver Medal of Valor
Lieutenant Gregory Corrales	Bronze Medal of Valor
Lieutenant Fred H. Lau	Bronze Medal of Valor
Sergeant Ignacio Fuentes, Jr.	Bronze Medal of Valor
Sergeant Lee A. McVeigh	Bronze Medal of Valor
Officer Francis A. Achim, Jr.	Bronze Medal of Valor
Officer Daryl M. Ball	Bronze Medal of Valor
Officer Wade D. Bailey	Bronze Medal of Valor
Officer Michael D. Burkley	Bronze Medal of Valor
Officer Edgar J. Callejas	Bronze Medal of Valor
Officer Basil J. Canion	Bronze Medal of Valor
Officer Melvin B. Cardenas	Bronze Medal of Valor
Officer Donald P. Ciardella	Bronze Medal of Valor
Officer Jill P. Connolly	Bronze Medal of Valor
Officer Frank Donahue	Bronze Medal of Valor
Officer Edward B. Dullea	Bronze Medal of Valor
Officer Johnnie Flannigan, Jr.	Bronze Medal of Valor
Officer Randy Flannery	Bronze Medal of Valor
Officer Kevin L. Hall	Bronze Medal of Valor
Officer Sylvia Harper	Bronze Medal of Valor
Officer Jeremiah E. Holland	Bronze Medal of Valor
Officer David J. Householder	Bronze Medal of Valor
Officer James D. Jones	Bronze Medal of Valor
Officer Natalie Kucia	Bronze Medal of Valor
Officer Robert M. Link	Bronze Medal of Valor
Officer Charles E. Lyons	Bronze Medal of Valor
Officer Dennis M. Norris	Bronze Medal of Valor
Officer Gregory L. Ovanessian	Bronze Medal of Valor
Officer Robert M. Ramos	Bronze Medal of Valor
Officer Steven Ratto	Bronze Medal of Valor
Officer Andrew A. Rolfes	Bronze Medal of Valor
Officer Vincent M. Sheehan	Bronze Medal of Valor
Officer David M. Smith	Bronze Medal of Valor
Officer Stephanie Toothaker	Bronze Medal of Valor
Officer Michael F. Travis	Bronze Medal of Valor
Officer Martin Trester	Bronze Medal of Valor
Officer Joe E. Williams	Bronze Medal of Valor
Officer Hoyt L. Wong	Bronze Medal of Valor
Officer Stephen A. Zimmerman	Bronze Medal of Valor
Officer Arthur R. Fong	Bronze Medal of Valor
Officer Fred Crisp	Meritorious Conduct Award
Officer Robert McMillan	Meritorious Conduct Award

RECOMMENDATION OF THE CHIEF OF POLICE THAT THE POLICE COMMISSION REVOKE JITNEY BUS PERMIT #98 (MISSION STREET ROUTE) HELD BY MR. BENJAMIN L. PEREZ, Jr.

Continued to August 29, 1985.

NOTIFICATION AND FILING OF CHARGES AGAINST POLICE OFFICER JEAN J. POWERS, MISSION STATION

RESOLUTION NO. 912-85

WHEREAS, charges of violating the Rules and Procedures of the San Francisco Police Department were filed against Police Officer Jean J. Powers, Mission Station, as follows:

CHARGE NO. 1

Failure to obey the lawful order of a superior officer, (violation of Rule A-11 General Order D-1 of the San Francisco Police Department);

CHARGE NO. 2

Failure to obey the lawful order of a superior officer (violation of Rule A-11 of General Order D-1 of the San Francisco Police Department);

CHARGE NO. 3

Engaging in conduct which tends to subvert the good order, efficiency or discipline of the Department and which reflects discredit upon the Department (violation of Rule A-9 of General Order D-1 of the San Francisco Police Department)

By Cornelius P. Murphy, Chief of Police, San Francisco Police Department; therefore be it

RESOLVED, that the date for the setting of the hearing of the disciplinary charges filed against Officer Jean J. Powers, Mission Station, is set for Thursday, August 15, 1985 at 5:30 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Daly, Hsieh, Sanchez, Toler
ABSENT: Commissioner Nelder.

NOTIFICATION AND FILING OF CHARGES AGAINST POLICE OFFICER MICHAEL E. EVANSON, NORTHERN STATION

RESOLUTION NO. 913-85

WHEREAS, charges of violating the Rules and Procedures of the San Francisco Police Department were filed against Police Officer Michael E. Evanson, Northern Station, as follows:

CHARGE NO. 1

Failure to prevent crime while off duty (violation of Rule A-2 of General Order D-1 of the San Francisco Police Department);

CHARGE NO. 2

Engaging in conduct which tends to subvert the good order, efficiency or discipline of the Department and which reflects discredit upon the Department (violation of Rule A-9 of General Order D-1 of the San Francisco Police Department).

By Cornelius P. Murphy, Chief of Police, San Francisco Police Department; therefore be it

RESOLVED, that the date for the setting of the hearing of the disciplinary charges filed against Officer Michael E. Evanson, Northern Station, is set for Thursday, August 15, 1985, at 5:30 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Daly, Hsieh, Sanchez, Toler
ABSENT: Commissioner Nelder

SETTING OF DATE FOR HEARING ON THE DISCIPLINARY CHARGES FILED AGAINST POLICE OFFICER CHRISTOPHER OLOCCO, SOUTHERN STATION

RESOLUTION NO. 914-85

WHEREAS, the date for the setting of the hearing of the disciplinary charges filed against Police Officer Christopher Olocco, Southern Station, was called it having been set for this date; and

WHEREAS, it was requested by Mr. John Prentice, Attorney at Law, representing Officer Christopher Olocco, that the date for the hearing before the Police Commission be set for September 19, 1985; therefore be it

RESOLVED, that the hearing of the disciplinary charges filed against Police Officer Christopher Olocco, Southern Station, is set for Thursday, September 19, 1985 at 1730 hours in Room 551, Hall of Justice.

AYES: Commissioners Daly, Hsieh, Sanchez, Toler
ABSENT: Commissioner Nelder

SETTING OF DATE FOR HEARING ON THE DISCIPLINARY CHARGES FILED AGAINST POLICE OFFICER EARL E. WISMER, NORTHERN STATION

RESOLUTION NO. 915-85

WHEREAS, the date for the setting of the hearing of the disciplinary charges filed against Police Officer Earl E. Wismer, Northern Station, was called it having been set for this date; and

WHEREAS, it was requested by Mr. John Prentice, Attorney at Law, representing Officer Earl E. Wismer, that the date for the hearing before the Police Commission be set for September 19, 1985; therefore be it

RESOLVED, that the hearing of the disciplinary charges filed against Police Officer Earl E. Wismer, Northern Station, is set for Thursday, September 19, 1985 at 1730 hours in Room 551, Hall of Justice.

AYES: Commissioners Daly, Hsieh, Sanchez, Toler
ABSENT: Commissioner Nelder

SETTING OF DATE FOR HEARING ON THE DISCIPLINARY CHARGES FILED AGAINST POLICE OFFICER DENNIS M. COSTANZO, INGLESIDE STATION

RESOLUTION NO. 916-85

WHEREAS, the date for the setting of the hearing of the disciplinary charges filed against Police Officer Dennis M. Costanzo, Ingleside Station, was called it having been set for this date; and

WHEREAS, it was requested by Mr. John Prentice, Attorney at Law, for Mr. Casimere Wilson, Attorney at Law, representing Officer Dennis M. Costanzo, that the date for the hearing before the Police Commission be set for September 26, 1985; therefore be it

RESOLVED, that the hearing of the disciplinary charges filed against Police Officer Dennis M. Costanzo, Ingleside Station, is set for Thursday, September 26, 1985 at 1730 hours in Room 551, Hall of Justice.

AYES: Commissioners Daly, Hsieh, Sanchez, Toler
ABSENT: Commissioner Nelder

HEARING ON THE DISCIPLINARY CHARGES FILED AGAINST POLICE OFFICER ROY RAMOS, NORTHERN STATION

RESOLUTION NO. 917-85

WHEREAS, the date for the hearing on the disciplinary charges filed against Police Officer Roy Ramos, Northern Station, was called it having been set for this date; and

WHEREAS, it was requested by Mr. Jerry W. Akins, Attorney at Law, representing the San Francisco Police Department, that the date for the hearing before The Police Commission be set for September 12, 1985; therefore be it

RESOLVED, that the hearing of the disciplinary charges filed against POlice Officer Roy Ramos, Northern Station, is set for thursday, September 12, 1985 at 1730 hours in Room 551, Hall of Justice.

AYES: Commissioners Daly, Hsieh, Toler, Sanchez
ABSENT: Commissioner Nelder

HEARING OF POLICE OFFICER MICHAEL KENNY, VICE CRIMES DIVISION/NARCOTICS

The hearing of Police Officer Michael Kenny, Vice Crimes Division/Narcotics, was called it having been set for this date.

Police Officer Michael Kenny appeared in person and was represented by Mr. John Prentice, Attorney at Law.

Mr. Michael E. Gash, Attorney at Law, appeared on behalf of the San Francisco Police Department.

An opening statement was made by Mr. Michael E. Gash for the Prosecution.

An opening statement was waived by the Defense.

The charges were read into the record by Attorney Michael Gash.

The following named witness appeared for the Prosecution, was sworn and testified:

Mrs. Ruth Hamzarbe

After listening to testimony from the above parties, the meeting was adjourned at 9:07 p.m., and the hearing was continued to Wednesday, September 4, 1985 at 6:00 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Daly, Hsieh, Sanchez, Toler
ABSENT: Commissioner Nelder

Recess taken during the hearing of Officer Kenny:

7:59 p.m. to 8:07 p.m.

(The entire proceedings were taken in shorthand form by Ms Bonnie Mortley, CSR).

HEARING OF POLICE OFFICER KENNETH H. FOSTER, PATROL BUREAU TASK FORCE

The hearing of Police Officer Kenneth Foster, Patrol Bureau Task Force, was called it having been set for this date.

Police Officer Kenneth Foster appeared in person and was represented by Mr. James Collins, Attorney at Law.

Mr. Michael E. Gash, Attorney at Law, appeared on behalf of the San Francisco Police Department.

An opening statement was made by Mr. Michael E. Gash for the Prosecution.

An opening statement was waived by the Defense.

The charges were read into the record by Attorney Michael Gash.

The following named witness appeared for the Prosecution, was sworn and testified:

Mrs. Ruth Hamzarbe

After listening to testimony from the above parties, the meeting was adjourned at 9:07 p.m., and the hearing was continued to Wednesday, September 4, 1985 at 6:00 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Daly, Hsieh, Sanchez, Toler
ABSENT: Commissioner Nelder

Recess taken during the hearing of Officer Kenny:

7:59 p.m. to 8:07 p.m.

(The entire proceedings were taken in shorthand form by Ms. Bonnie Mortley, CSR).

REQUEST FOR A SUPPLEMENTAL APPROPRIATION AMOUNTING TO $3,919,076 TO FUND SWORN SALARY STANDARIZATION FOR FISCAL YEAR 1985-86

RESOLUTION NO. 918-85

RESOLVED, that the Police Commission hereby approves the Supplemental Appropriation Request amounting to $3,919,076. This request will provide funds to standardize sworn salaries and related manadatory fringe benefits. This request is for Fisca Year 1985-86.

AYES: Commissioners Daly, Hsieh, Sanchez, Toler
ABSENT: Commissioner Nelder

NOTIFICATION AND FILING OF CHARGES AGAINST POLICE OFFICER MICHAEL E. EVANSON, NORTHERN STATION

RESOLUTION NO. 913-85

WHEREAS, charges of violating the Rules and Procedures of the San Francisco Police Department were filed against Police Officer Michael E. Evanson, Northern Station, as follows:

CHARGE NO. 1

Failure to prevent crime while off duty (violation of Rule A-2 of General Order D-1 of the San Francisco Police Department);

CHARGE NO. 2

Engaging in conduct which tends to subvert the good order, efficiency or discipline of the Department and which reflects discredit upon the Department (violation of Rule A-9 of General Order D-1 of the San Francisco Police Department).

by Cornelius P. Murphy, Chief of Police, San Francisco Police Department; therefore be it

RESOLVED, that the date for the setting of the hearing of the disciplinary charges filed against Officer Michael E. Evanson, Northern Station, is set for Thursday, August 15, 1985, at 5:30 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Daly, Hsieh, Sanchez, Toler
ABSENT: Commissioner Nelder

THE MEETING WAS THEREAFTER ADJOURNED AT 9:05 P.M., IN MEMORY OF ROBERT NELDER AND GEORGE REILLY, BOARD OF EQUALIZATION

Willie E. Frazier

Lieutenant Willie E. Frazier
Secretary
THE POLICE COMMISSION

42/sj

SPECIAL MEETING
AUGUST 15, 1985 CLOSED SESSION

The Police Commission of The City and County of San Francisco met in their chambers, Room 512, Hall of Justice, 850 Bryant Street, on Thursday, August 15, 1986, at 1700 hours in a Closed Session.

PRESENT: Commissioners Sanchez, Nelder, Toler, Daly
ABSENT: Commissioner Hsieh

Commissioner Sanchez presiding.

1. Attorney-Client Conference.

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AUGUST 15, 1985 REGULAR MEETING

The Police Commission of The City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Thursday, August 15, 1986, at 1730 hours in a Regular Meeting.

PRESENT: Commissioners Sanchez, Nelder, Toler, Daly
ABSENT: Commissioner Hsieh

Commissioner Sanchez presiding.

APPROVAL OF MINUTES OF MEETING OF JULY 25, 1985

Approval of Minutes of the meeting of July 25, 1985. The Commissioners having received, amended and returned copies of same.

APPROVAL OF CONSENT CALENDAR

Recommendation of the City Attorney for settlement of the following claims against the City and County of San Francisco:

RESOLUTION NO. 946-85

GLORIA J. FLOWERS vs. CITY AND COUNTY OF SAN FRANCISCO

RESOLVED, that the recommendation of the City Attorney for settlement of the litigation of Gloria J. Flowers in the sum of $2,400.00 in Superior Court No. 813-716 entitled "Gloria J. Flowers vs. City and County of San Francisco, and DOES I through XX, inclusive" as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: December 18, 1982

AYES: Commissioners Daly, Nelder, Sanchez, Toler
ABSENT: Commissioner Hsieh

RESOLUTION NO. 947-85

JUAN OLIVA vs. CITY AND COUNTY OF SAN FRANCISCO

RESOLVED, that judgment made for settlement of litigation of Juan Oliva in the sum of $1,086.30 in Small Claims Court No. 439-622 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: April 11, 1985

AYES: Commissioners Daly, Nelder, Sanchez, Toler
ABSENT: Commissioner Hsieh

AUTHORIZATION OF OFFICERS FRANK McKEE AND DANIEL HAMPTON TO ATTEND THE DEFENSIVE TACTICS INSTRUCTORS UPDATE IN SANTA ROSA FROM 09/07/85 TO 09/08/85

RESOLUTION NO. 949-85

RESOLVED, that the recommendation of the Chief of Police that Officers Frank McKee and Daniel Hampton, Training Section, be authorized to attend the Defensive Tactics Instructors Update, conducted by the Northern California Criminal Justice Training and Education System in Santa Rosa, California from September 7 to September 8, 1985, is hereby approved, and be it further

RESOLVED, that expenses in the amount of $132.05 each for subsistence and travel will be reimbursed by P.O.S.T. $2.50 each for tuition will be defrayed by the Department Training Fund.

AYES: Commissioners Daly, Nelder, Sanchez, Toler
ABSENT: Commissioner Hsieh

TRAVELING EXPENSE VOUCHER - APPROVED

RESOLUTION NO. 950-85

RESOLVED, that the Traveling Expense voucher submitted by the following named member of the Police Department for expenses incurred in attending the below indicated program, be, and the same is hereby approved.

Sgt. Raymont Price(Supervirory Training course
(Santa Cruz, California
(07/22/85 - 08/02/85)
($1,170.00)
($130.00 refund submitted)

AYES: Commissioners Nelder, Toler, Daly, Sanchez
ABSENT: Commissioner Hsieh

AUTHORIZATION OF OFFICERS JEFFREY BARKER AND FRANK McDONAGH TO ATTEND THE LAW ENFORCEMENT FITNESS ADVISOR COURSE IN OROVILLE FROM 08/19/85 TO 08/23/85

RESOLUTION NO. 948-85

RESOLVED, that the recommendation of the Chief of Police that Officer Jeffrey Barker, Police Gym, and Officer Frank McDonagh, Training Section, be authorized to attend the Law Enforcement Fitness Advisor Course, conducted by the Northern California Criminal Justice Training and Education System in Oroville, California from August 19 to August 23, 1985, is hereby approved, and be it further

RESOLVED, that expenses in the amount of $406.00 each for tuition, subsistence and travel will be reimbursed by P.O.S.T. P.O.S.T. will also reimburse the Department 70% of these members' salary while they are at this training.

AYES: Commissioners Daly, Nelder, Sanchez, Toler
ABSENT: Commissioner Hsieh

RESOLUTION NO. 943-85

MIGUEL PADILLA VS. CITY AND COUNTY OF SAN FRANCISCO

RESOLVED, that judgment made for settlement of litigation of Miguel Padilla in the sum of $11,637.91 in Superior Court No. 823-107 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: September 8, 1985

AYES: Commissioners Nelder, Toler, Daly, Sanchez
ABSENT: Commissioner Hsieh

RESOLUTION NO. 944-85

BETTINA LEONG vs. CITY AND COUNTY OF SAN FRANCISCO

RESOLVED, that the recommendation of the City Attorney for settlement of the litigation of Bettina Leong in the sum of $10,000.00 in Superior Court No. 811-647 entitled "Bettina Leong, Plaintiff vs. The City and County of San Francisco, et al, Defendants " as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: May 5, 1985

AYES: Commissioners Nelder, Toler, Daly, Sanchez
ABSENT: Commissioner Hsieh

RESOLUTION NO. 945-85

LEE AND KAREN DOMINIQUE vs. CITY AND COUNTY OF SAN FRANCISCO

RESOLVED, that the recommendation of the City Attorney for settlement of the litigation of Lee and Karen Dominique in the sum of $2,500.00 in Superior Court No. 767-922 entitled "Lee and Karen Dominique vs. City and County of San Francisco" as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: August 21, 1979

AYES: Commissioners Toler, Nelder, Daly, Sanchez
ABSENT: Commissioner Hsieh

POLICE COMMISSION REPORT

Commissioner Jo Daly introduced Ms. Ine Van Brenk Wietsma advisor to the Lord Mayor for Public Order Safety and Police Affairs, Amsterdam, who was then welcomed by the entire Commission. Ms. Wietsma observed the conduct and manner in which the meeting proceeded and indicated she was impressed.

RESOLUTION NO. 942-85

CONSIDERATION FOR THE ADOPTION OF THE SAN FRANCISCO POLICE DEPARTMENT'S EVENT MANAGEMENT MANUAL

RESOLVED, that the Police Commission approves and adopts the Event Management Manual dated July, 1985 as Department Policy and Procedures for policing spontaneous and planned events.

AYES: Commissioners Nelder, Daly, Toler, Sanchez
ABSENT: Commissioner Hsieh

PUBLIC HEARING ON REVISION TO GENERAL ORDER P-7 (Counseling of Members)

Continued in two weeks

RESOLUTION NO. 951-85

SETTING OF DATE FOR HEARING ON THE DISCIPLINARY CHARGES FILED AGAINST POLICE OFFICER JEAN J. POWERS, MISSION STATION

WHEREAS, the date for the setting of the hearing of the disciplinary charges filed against Police Officer Jean J. Powers, Mission Station, was called it having been set for this date; and

WHEREAS, it was requested by Mr. Jerry Akins, Attorney at Law, representing The San Francisco Police Department, that the date for the hearing before The Police Commission be set for October 3, 1985; therefore be it

RESOLVED, that the hearing of the disciplinary charges filed against Police Officer Jean J. Powers, Mission Station, is set for Thursday, October 3, 1985 at 1730 hours in Room 551, Hall of Justice.

AYES: Commissioners Daly, Nelder, Sanchez, Toler
ABSENT: Commissioner Hsieh

RESOLUTION NO. 952-85

SETTING OF DATE FOR HEARING ON THE DISCIPLINARY CHARGES FILED AGAINST POLICE OFFICER MICHAEL E. EVANSON, NORTHERN STATION

WHEREAS, the date for the setting of the hearing of the disciplinary charges filed against Police Officer Michael E. Evanson, Northern Station, was called it having been set for this date; and

WHEREAS, it was requested by Mr. Stephen Whitmore, Attorney at Law, representing Officer Michael E. Evanson, that the date for the hearing before the Police Commission be set for October 10, 1985; therefore be it

RESOLVED, that the hearing of the disciplinary charges filed against Police Officer Michael E. Evanson, Northern Station, is set for Thursday, October 10, 1985 at 1730 hours in Room 551, Hall of Justice.

AYES: Commissioners Daly, Nelder, Sanchez, Toler
ABSENT: Commissioner Hsieh

HEARING OF POLICE OFFICER DAVID OBERHOFFER, MISSION STATION

The hearing of Police Officer David Oberhoffer, Mission Station, was called it having been set for this date.

Police Officer David Oberhoffer appeared in person and was represented by Mr. Stephen F. Whitmore, Attorney at Law.

Mr. Jerry W. Akins, Attorney at Law, appeared on behalf of the San Francisco Police Department.

An opening statement was made by Mr. Jerry W. Akins for the Prosecution.

An opening statement for the Defense was reserved by Mr. Stephen F. Whitmore.

The charges were read into the record by Attorney Jerry W. Akins.

The following named witnesses appeared for the Prosecution, were sworn and testified:

Officer Luis Schonborn, Company D
Officer Daryl Ball, Company D

The following exhibits were entered into evidence by the Prosecution:

Exhibit #1 Incident Report No. 840297803 dated 3/15/85

Exhibit #2 Municipal Court Transcript, Dept. No. 9, Court No. 692757, Preliminary Hearing 5/22/84

Exhibit #3 Diagram of area of Mission St. intersecting with 19th St., also displaying San Carlos St. west of Mission intersecting 19th St.

The following named witnesses appeared for the Defense, were sworn and testified:

Recall of Officer Luis Schonborn, Company D
Officer David Oberhoffer, Company D

After listening to testimony from the above parties, the meeting was adjourned at 9:50 p.m., and the hearing was continued to Thursday, September 12, 1985 at 5:30 p.m in Room 551, Hall of Justice.

AYES: Commissioners Daly, Hsieh, Nelder, Toler, Sanchez

Recesses taken during the hearing of Officer David Oberhoffer:
K. Montero:

7:31 p.m. to 7:40 p.m.
7:55 p.m. to 7:56 p.m.
8:44 p.m. to 8:50 p.m.

(The entire proceedings were taken in shorthand form by Ms Elizabeth Carter, CSR.)

HEARING OF POLICE OFFICER RICHARD K. MONTERO, MISSION STATION

The hearing of Police Officer Richard K. Montero, Mission Station, was called it having been set for this date.

Police Officer Richard K. Montero appeared in person and was represented by Mr. Charles G. Ogulnik, Attorney at Law.

Mr. Jerry W. Akins, Attorney at Law, appeared on behalf of the San Francisco Police Department.

An opening statement was made by Mr. Jerry W. Akins for the Prosecution.

An opening statement for the Defense was reserved by Mr. Charles G. Ogulnik.

The charges were read into the record by Attorney Jerry W. Akins.

The following named witnesses appeared for the Prosecution, were sworn and testified:

Officer Luis Schonborn, Company D
Officer Daryl Ball, Company D

The following exhibits were entered into evidence by the Prosecution:

Exhibit #1 Incident Report No. 840297803 dated 3/15/85

Exhibit #2 Municipal Court Transcript, Dept. No. 9, Court No. 692757, Preliminary Hearing 5/22/84

Exhibit #3 Diagram of area of Mission St. intersecting with 19th St., also displaying San Carlos St. west of Mission intersecting 19th St.

The following named witnesses appeared for the Defense, were sworn and testified:

Recall of Officer Luis Schonborn, Company D
Officer David Oberhoffer, Company D

After listening to testimony from the above parties, the meeting was adjourned at 9:50 p.m., and the hearing was continued to Thursday, September 12, 1985 at 5:30 p.m in Room 551, Hall of Justice.

AYES: Commissioners Daly, Hsieh, Nelder, Sanchez, Toler

Recesses taken during the hearing of Officer Richard K. Montero:

7:31 p.m. to 7:40 p.m.
7:55 p.m. to 7:56 p.m.
8:44 p.m. to 8:50 p.m.

(The entire proceedings were taken in shorthand form by Ms Elizabeth Carter, CSR.)

APPEAL OF SUSPENSION OF SGT. AL BIERMAN

Continued to August 20, 1985

THE MEETING WAS THEREFORE ADJOURNED AT 9:50 P.M.

LIEUTENANT WILLIE E. FRAZIER
SECRETARY
THE POLICE COMMISSION

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22 AUGUST 1985 SPECIAL MEETING

The Police Commission of the City and County of San Francisco met in their Chambers, Room 512, Hall of Justice, 850 Bryant Street, on Thursday, August 22, 1985 at 1630 hours in a Closed Session.

PRESENT: Commissioners Daly, Toler, Hsieh, Nelder
ABSENT: Commissioner Sanchez

Commissioner Alfred Nelder presiding.

1. Attorney-Client Conference.

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22 AUGUST 1985 SPECIAL MEETING

The Police commission of the City and County of San Francisco met in their Chambers, Room 551, Hall of Justice, 850 Bryant Street, on Thursday, August 22, 1985 at 1700 hours in a Special Meeting.

PRESENT: Commissioners Daly, Toler, Hsieh, Nelder
ABSENT: Commissioner Sanchez

Commissioner Alfred Nelder presiding.

HEARING OF PATROL SPECIAL OFFICER KUNG MING CHIU, CENTRAL POLICE DISTRICT (CONTINUED FROM MEETING OF AUGUST 1, 1985)

The hearing of Patrol Special Officer Kung Ming Chiu, Central Police District, was called it having been set for this date.

Patrol Special Officer Kung Ming Chiu appeared in person and was represented by Mr. John R. Braun, Attorney at Law.

Mr. Michael E. Gash, Attorney at Law, appeared on behalf of the San Francisco Police Department.

The following named witness appeared for the Defense, was sworn and testified:

Mr. Wang C. Lieu, 642 Taraval, San Francisco, CA

A closing statement was made by Mr. Michael E. Gash for the San Francisco Police Department.

A closing statement was made by Mr. John R. Braun for the Defense.

After listening to testimony from the above parties, the hearing was adjourned at 8:00 p.m., and the hearing was continued to Thursday, August 29, 1985 at 8:00 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Daly, Hsieh, Nelder, Toler
ABSENT: Commissioner Sanchez

22 AUGUST 1985 REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their Chambers. Room 551, Hall of Justice, 850 Bryant Street, on Thursday, August 22, 1985 at 1730 hours in a Regular Meeting.

PRESENT: Commissioners Daly, Toler, Hsieh, Nelder
ABSENT: Commissioner Sanchez

Commissioner Alfred Nelder presiding.

APPROVAL OF MINUTES OF THE MEETING OF AUGUST 1, 1985

Approval of Minutes of the Meeting of August 1, 1985. The Commissioners having received, approved and returned copies of same.

APPROVAL OF CONSENT CALENDAR

Recommendation of the City Attorney for settlement of the following claims against the City and County of San Francisco:

RESOLUTION NO. 958-85

ABC TOWING (M. MORRIS)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing (M. Morris) in the sum of $87.75 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: June 17, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Toler
ABSENT: Commissioner Sanchez

RESOLUTION NO. 959-85

ABC TOWING (J. BELL)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing (J. Bell) in the sum of $87.75 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: July 5, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Toler
ABSENT: Commissioner Sanchez

RESOLUTION NO. 960-85

MARINA D. ALVARADO

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Marina D. Alvarado in the sum of $87.75 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: June 27, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Toler
ABSENT: Commissioner Sanchez

RESOLUTION NO. 961-85

DAVID W. RICHARDSON

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of David W. Richardson in the sum of $77.40 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 24, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Toler
ABSENT: Commissioner Sanchez

RESOLUTION NO. 962-85

COMBA E. M. ZAVARRO

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Comba E. M. Zavarro in the sum of $76.25 as the result of a faulty, be, and the same is hereby approved.

Date of Incident: February 24, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Toler
ABSENT: Commissioner Sanchez

RESOLUTION NO. 963-85

PAULINE GAGNON

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Pauline Gagnon in the sum of $76.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: June 16, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Toler
ABSENT: Commissioner Sanchez

RESOLUTION NO. 964-85

CHRISTOPHER PAINE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Christopher Paine in the sum of $64.75 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: January 17, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Toler
ABSENT: Commissioner Sanchez

RESOLUTION NO. 965-85

JOHN CLIFFORD

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of John Clifford in the sum of $64.75 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: June 19, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Toler
ABSENT: Commissioner Sanchez

RESOLUTION NO. 966-85

ABC TOWING (GRANNUM)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing (Grannum) in the sum of $64.75 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: July 14, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Toler
ABSENT: Commissioner Sanchez

RESOLUTION NO. 967-85

CYNTHIA KALE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Cynthia Kale in the sum of $64.75 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: June 28, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Toler
ABSENT: Commissioner Sanchez

RESOLUTION NO. 968-85

GUADALUPE HERRERA

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Guadalupe Herrera in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: January 14, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Toler
ABSENT: Commissioner Sanchez

RESOLUTION NO. 969-85

LYNN A. MAACK and SANDI GENSER-MAACK

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Lynn A. Maack and Sandi Genser-Maack in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 31, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Toler
ABSENT: Commissioner Sanchez

RESOLUTION NO. 970-85

BRUNO BOSSIO GUISEPPE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Bruno Bossio Guiseppe in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: June 7, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Toler
ABSENT: Commissioner Sanchez

RESOLUTION NO. 971-85

GEM LEE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Gem Lee in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 12, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Toler
ABSENT: Commissioner Sanchez

RESOLUTION NO. 972-85

ROBERT C. VON DER AHE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Robert C. Von Der Ahe in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: June 25, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Toler
ABSENT: Commissioner Sanchez

RESOLUTION NO. 973-85

KEVIN THOMPSON

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Kevin Thompson in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 31, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Toler
ABSENT: Commissioner Sanchez

RESOLUTION NO. 974-85

JOHN MOORE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of John Moore in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: July 8, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Toler
ABSENT: Commissioner Sanchez

RESOLUTION NO. 975-85

JEFFREY C. HENNE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Jeffrey C. Henne in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: July 10, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Toler
ABSENT: Commissioner Sanchez

RESOLUTION NO. 976-85

AMY RUTH CRAVEN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Amy Ruth Craven in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: June 28, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Toler
ABSENT: Commissioner Sanchez

RESOLUTION NO. 977-85

SHURONDA MOSLEY-SANCHEZ

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Shuronda Mosley-Sanchez in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: July 7, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Toler
ABSENT: Commissioner Sanchez

RESOLUTION NO. 978-85

YELLOW CAB CO-OP, INC.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Yellow Cab Co-Op, Inc. in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date if Incident: July 2, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Toler
ABSENT: Commissioner Sanchez

RESOLUTION NO. 979-85

RONNIE ROBINSON

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Ronnie Robinson in the sum of $35.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: June 26, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Toler
ABSENT: Commissioner Sanchez

AUTHORIZATION OF INSPECTORS PETER GODBOIS AND ROBERT RAMES TO ATTEND THREE (3) COURSES, TECHNICAL ACCIDENT INVESTIGATION, VEHICLE DYNAMICS AND TRAFFIC ACCIDENT RECONSTRUCTION IN EVANNSON, ILLINOIS FROM 09//3/85 TO 10/25/85

RESOLUTION NO. 954-85

RESOLVED, that the recommendation of the Chief of Police that Inspectors Peter Godbois and Robert Rames, Vehicle Hit and Run, be authorized to attend three courses, Technical Accident Investigation, Vehicle Dynamics and Traffic Accident Reconstruction, conducted by the Traffic Institute of Northwestern University in Evanston, Illinois from September 23 to October 25, 1985, is hereby approved, and be it further

RESOLVED, that expenses in the amount of $5,102.00 for Inspector Godbois, and $4,792.00 for Inspector Rames for tuition, airfare, subsistence, supplies, ground transportation and four weekends will be defrayed by the Department Training Fund. The difference in the cost is due to a 20% tuition discount for the second student.

AYES: Commissioners Daly, Hsieh, Nelder, Toler
ABSENT: Commissioner Sanchez

AUTHORIZATION OF CAPTAINT CHARLES BEENE AND LIEUTENANT GEORGE KOWALSKI TO ATTEND THE FBI NATIONAL ACADEMY ASSOCIATES TRAINING SESSION IN SAN DIEGO FROM 09/29/85 TO 10/02/85

RESOLUTION NO. 955-85

RESOLVED, that the recommendation of the Chief of Police that Captain Charles Beene, Tactical Division, and Lieutenant George Kowalski, Homicide Section, be authorized to attend the FBI National Academy Associates Training Session, conducted by the Federal Bureau of Investigation in San Diego, California from September 29 to October 2, 1985, is hereby approved, and be it further

RESOLVED, that expenses in the amount of $60.00 each for tuition will be defrayed by the Department Training Fund.

AYES: Commissioners Daly, Hsieh, Nelder, Toler
ABSENT: Commissioner Sanchez

POLICE COMMISSION REPORT

No Report.

CHIEF'S REPORT TO THE POLICE COMMISSION

No Report.

HEARING ON THE APPEAL OF THE CHIEF'S SUSPENSION OF SGT. ALLAN BIERMAN, CENTRAL WARRANT BUREAU

RESOLUTION NO. 956-85

WHEREAS, the date of the hearing on the appeal of Sergeant Allan Bierman, Central Warrant Bureau, on his five day suspension imposed by the Chief of Police Cornelius P. Murphy was called, it having been set for this date; and

WHEREAS, it was requested by Mr. Lance A. Russell, Attorney at Law, representing Sergeant Allan Bierman, that the date for the hearing before the Police Commission be set for September 19, 1985; therefore be it

RESOLVED, that the hearing on the appeal of Sergeant Allan Bierman, Central Warrant Bureau, on his five day suspension imposed by the Chief of Police is set for Thursday, September 19, 1985 at 5:30 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Daly, Hsieh, Nelder, Toler
ABSENT: Commissioner Sanchez

HEARING OF POLICE OFFICER DENNIS H. ALVARENGA, MISSION STATION

The hearing of Police Officer Dennis H. Alvarenga, Mission Station, was called it having been set for this date. Officer Dennis H. Alvarenga was charged with violating the Rules and Procedures as follows:

SPECIFICATION NO. 1

Using official position to avoid consequences of illegal conduct (violation of Rule B-7 of General Order D-1 of the San Francisco Police Department);

SPECIFICATION NO. 2

Failure to maintain oneself in fit condition to perform police duties while carrying a firearm off-duty (violation of Rule A-3 of General Order D-1 of the San Francisco Police Department).

in a properly verified complaint by Cornelius P. Murphy, Chief of Police of the San Francisco Police Department.

Officer Alvarenga appeared in person and was represented by Mr. Stephen F. Whitmore, Attorney at Law.

Mr. Michael E. Gash, Attorney at Law, appeared on behalf of the San Francisco Police Department.

An opening statement was made by Attorney Michael Gash for the Prosecution.

An opening statement was made by Attorney Stephen Whitmore for the Defense. A plea of Not Guilty to Specification No. 1, and a plea of Guilty to Specification No. 2, was made by Attorney Whitmore on behalf of his client, Officer Dennis Alvarenga.

The following named witnesses were called by the Prosecution, were sworn and testified:

Lt. Richard L. Miller, Daly City Police Dept.
Lt. Fernando Gamez, Company C
Lt. David L. Maron, Company D

The following exhibit was entered into evidence by the Prosecution:

Exhibit #1 S.F.P.D. Intoxilyzer Report dated 02/21/85 prepared by Sgt. J. Hughes, #1243

The following named witnesses were called by the Defense, were sworn and testified:

Captain Victor Macia, Company D
Officer Dennis Alvarenga, Company D

The following exhibits were entered into evidence by the Defense:

Exhibit A Letter to Chief Murphy dated 02/21/85 from Richard C. Sims, Chief of Police, Daly City, and Memo from Lt. Miller dated 02/21/85 to Chief of Police, Daly City

Exhibit B Dept. memo dated 02/21/85 from Lt. F. R. Gamez to Capt. R. Maloney

Exhibit C Dept. memo dated 02/21/85 from Lt. David L. Maron to Capt. V. Macia

Exhibit D Dept. memo dated 02/21/85 from Capt. V. Macia to Deputy Chief G. Eimil

Closing statements were made by both Prosecuting and Defense Attorneys.

The Commission took the matter under submission, recessed and returned, finding a Not Guilty on Specification No. 1 and Guilty on Specification No. 2.

Based on those findings, the Commission requested a recommendation from Chief of Police Cornelius P. Murphy. It is the recommendation of the Chief of Police that Officer Dennis H. Alvarenga be terminated.

The Commission again took the matter under submission and the following resolution was adopted:

RESOLUTION NO. 957-85

DECISION - HEARING OF OFFICER DENNIS H. ALVARENGA, MISSION STATION

WHEREAS, on March 8, 1985, Cornelius P. Murphy, Chief of Police of the San Francisco Police Department, made and served charges against Police Officer Dennis H. Alvarenga as follows:

SPECIFICATION NO. 1

Using official position to avoid consequences of illegal conduct (violation of Rule B-7 of General Order D-1 of General Order D-1 of the San Francisco Police Department);

(a) At all times herein mentioned, Dennis H. Alvarenga, Star No. 1118, was and is a police officer employed by the San Francisco Police Department and assigned to Company D - Mission Station;

(b) As a police officer, Officer Alvarenga (hereinafter referred to as the accused) was and is responsible for knowing and obeying the rules, orders, and procedures of the San Francisco Police Department;

(c) On February 21, 1985, at or about 0100 hours, the accused while off duty was observed by Daly City police officers, traveling east in his private vehicle on Geneva Avenue at approximately sixty (60) miles per hour. The accused also failed to negotiate the turn from Geneva Avenue onto Schwerin Street and drove over the center divider;

(d) The accused after being stopped, got out of his vehicle and informed the Daly City police officers that he was a San Francisco police officer;

(e) At the time of the stop by the Daly City police officers, the accused had red eyes, slurred speech and was unsteady on his feet;

(f) The Daly City police officers contacted the accused's superior officer at the San Francisco Police Department. The accused was released to his superior officer who responded to the scene and the Daly City Police Department took no further police action;

(g) The accused was taken to Company C - Potrero Station, where he submitted to an intoxilizer test. The intoxilizer test results were .21 and .22, respectively;

(h) California Vehicle Code Sec. 23152(a) and Sec. 23152(b) make it unlawful for any person to drive a vehicle while under the influence of an alcoholic beverage and make it unlawful for any person who has 0.10 percent or more, by weight of alcohol in his or her blood, to drive a vehicle;

(i) The accused, by informing the Daly City police officers that he was a police officer with the San Francisco Police Department, used his position as a police officer to avoid the consequences of his illegal conduct, which constitutes a violation of Rule B-7 of General Order D-1 of the San Francisco Police Department which states:

"Members shall not use or attempt to use their official positions for securing personal privileges beyond what is authorized by law, or for avoiding the consequences of illegal conduct."

SPECIFICATION NO. 2

Failure to maintain onself in fit condition to perform police duties while carrying a firearm off-duty (violation of Rule A-3 of General Order D-1 of the San Francisco Police Department).

(a) The allegations contained in Specification No. 1 paragraphs (a) through (i) are hereby incorporated by reference as if fully set forth herein;

(b) Upon being stopped by the Daly City police officers, a search of the accused disclosed that he was carrying his firearm. The Daly City police officers took his firearm and turned it over to the superior officer who responded to the scene;

(c) The accused, by failing to maintain himself in fit condition to perform police duties while off-duty and carrying a firearm, has engaged in conduct which constitutes a violation of Rule A-3 of General Order D-1 of the San Francisco Police Department which states:

"Officers shall, while carrying a firearm off-duty or while acting in the capacity of a peace officer, maintain themselves in a fit condition to perform police duties."

and

WHEREAS, a hearing on said charges was held before The Police Commission pursuant to Section 8.343 of the Charter of the City and County of San Francisco on Thursday, August 22, 1985, and on Thursday, August 22, 1985, the matter was submitted to the Police Commission for decision; and

WHEREAS, The Commission finds that the allegations contained in Charge No. 1 as preferred by the Chief of Police against Police Officer Dennis H. Alvarenga are not sustained; and

WHEREAS, The Commission finds that the allegations contained in Charge No. 2, as preferred by the Chief of Police against Police Officer Dennis H. Alvarenga, Mission Station, are sustained by a preponderance of the evidence presented. The Commission therefore adopts the language of said charges and its findings in this matter; therefore be it

RESOLVED, that based on these findings, consistent with The Commission's duty to protect the health, safety and general welfare of the citizens of the City and County of San Francisco and the public in general, and in order to promote efficiency and good discipline in the San Francisco Police Department, the Police Commission orders the following discipline be imposed:

Charge No. 2 Termination

RESOLVED, that said termination, effective immediately, be, and the same is hereby affirmed and approved.

AYES: Commissioners Daly, Hsieh, Nelder, Toler
ABSENT: Commissioner Sanchez

(The entire proceedings were taken in shorthand form by Mr. Lowell E. Torno, CSR.)

Recesses taken during the hearing of Officer Dennis H. Alvarenga:

8:59 p.m. to 9:06 p.m.
9:17 p.m. to 9:27 p.m.

NOTIFICATION AND FILING OF CHARGES AGAINST POLICE OFFICER ARLENE M. GEORGE, TECHNICAL SERVICES BUREAU/CENTRAL WARRANTS SECTION

RESOLUTION NO. 953-85

WHEREAS, charges of violating the Rules and Procedures of the San Francisco Police Department were filed against Police Officer Arlene M. George, Technical Services Bureau - Central Warrants Section, as follows:

SPECIFICATION NO. 1

Failure to comply with Department weight standards (violation of Section II, Subsection A-2 of General Order B-1 of the San Francisco Police Department).

by Cornelius P. Murphy, Chief of Police, San Francisco Police Department; therefore be it

RESOLVED, that the date for the setting of the hearing of the disciplinary charges filed against Officer Arlene M. George, Technical Services Bureau - Warrants Section, is set for Thursday, August 29, 1985, at 5:30 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Daly, Hsieh, Nelder, Toler
ABSENT: Commissioner Sanchez

THE MEETING WAS THEREAFTER ADJOURNED AT 9:31 P.M.

Willie E. Frazier

Lieutenant Willie E. Frazier
Secretary
THE POLICE COMMISSION

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SEPTEMBER 4, 1985 SPECIAL MEETING

The Police Commission of The City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, September 4, 1985, at 1800 hours in a Special Meeting.

PRESENT: Commissioners Sanchez, Giraudo, Owens, Davis
ABSENT: Commissioner Nelder

HEARING OF POLICE OFFICER MICHAEL KENNY, VICE CRIMES DIVISION - NARCOTICS (CONTINUED FROM AUGUST 8, 1985)

The hearing of Police Officer Michael Kenny, Vice Crimes Division/Narcotics, was called it having been set for this date.

Police Officer Michael Kenny appeared in person and was represented by Mr. John Prentice, Attorney at Law.

Mr. Michael E. Gash, Attorney at Law, appeared on behalf of the San Francisco Police Department.

The following named witnesses appeared for the Prosecution, were sworn and testified:

Mr. Hossein Hamzavi, 1347 - 48th Ave., San Francisco
Lt. George Huegle, Narcotics Unit

The following exhibits were entered into evidence by the Prosecution:

Exhibit #1 Intra-Dept. Memo, Captain's Order #82-10 dated 10/29/82

Exhibit #2 Daily Activity Report by Officer Kenny dated 11/5/84

Exhibit #3 Daily Activity Report by Officer Foster dated 11/5/84

After listening to testimony from the above parties, the Commission then adjourned at 10:06 p.m., and the matter was continued to Thursday, October 17, 1985 at 6:00 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Daly, Hsieh, Sanchez, Toler
ABSENT: Commissioner Nelder

(The entire proceedings were taken in shorthand form by Ms Linda Pransky, CSR.)

HEARING OF POLICE OFFICER KENNETH H. FOSTER, PATROL BUREAU TASK FORCE (CONTINUED FROM AUGUST 8, 1985)

The hearing of Police Officer Kenneth H. Foster, Patrol Bureau Task Force, was called it having been set for this date.

Police Officer Kenneth H. Foster appeared in person and was represented by Mr. James P. Collins, Attorney at Law.

Mr. Michael E. Gash, Attorney at Law, appeared on behalf of the San Francisco Police Department.

The following named witnesses appeared for the Prosecution, were sworn and testified:

Mr. Hossein Hamzavi, 1347 - 48th Ave., San Francisco
Lt. George Huegle, Narcotics Unit

The following exhibits were entered into evidence by the Prosecution:

Exhibit #1 Intra-Dept. Memo, Captain's Order #82-10 dated 10/29/82

Exhibit #2 Daily Activity Report by Officer Kenny dated 11/5/84

Exhibit #3 Daily Activity Report by Officer Foster dated 11/5/84

After listening to testimony from the above parties, the Commission then adjourned at 10:06 p.m., and the matter was continued to Thursday, October 17, 1985 at 6:00 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Daly, Hsieh, Sanchez, Toler
ABSENT: Commissioner Nelder

(The entire proceedings were taken in shorthand form by Ms Linda Pransky, CSR.)

THE MEETING WAS THEREAFTER ADJOURNED AT 10:06 P.M.

Willie E. Frazier

LIEUTENANT WILLIE E. FRAZIER
SECRETARY
THE POLICE COMMISSION

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SEPTEMBER 5, 1985 REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 512, Hall of Justice, 850 Bryant Street, on Thursday, September 5, 1985, at 1730 hours in a Regular Meeting.

PRESENT: Commissioners Sanchez, Nelder, Toler, Daly
ABSENT: Commissioner Hsieh

APPROVAL OF MINUTES OF MEETING OF AUGUST 22, 1985

Approval of Minutes of the Meeting of August 20, 1986, the Commissioners having received, approved, and returned copies of same.

APPROVAL OF CONSENT CALENDAR

Recommendation of the City Attorney for settlement of the following claims against City & County of San Francisco:

RESOLUTION NO. 998-85

BENNIE KIRTMAN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Bennie Kirtman in the sum of $225.00 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: April 14, 1985

AYES: Commissioners Daly Nelder, Sanchez, Toler
ABSENT: Commissioner Hsieh

RESOLUTION NO. 999-85

CHRISTINE E. KAHN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Christine E. Kahn in the sum of $207.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 14, 1985

AYES: Commissioners Daly, Nelder, Sanchez, Toler
ABSENT: Commissioner Hsieh

RESOLUTION NO. 1000-85

PATRICK SHEEHAN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Patrick Sheehan in the sum of $76.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: July 5, 1985

AYES: Commissioners Daly, Nelder, Sanchez, Toler
ABSENT: Commissioner Hsieh

RESOLUTION NO. 1001-85

DAVID E. SMITH

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of David E. Smith in the sum of $76.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: July 26, 1985

AYES: Commissioners Daly, Nelder, Sanchez, Toler
ABSENT: Commissioner Hsieh

RESOLUTION NO. 1002-85

MARIA SULLIVAN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Maria Sullivan in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: July 1, 1985

AYES: Commissioners Daly, Nelder, Sanchez, Toler
ABSENT: Commissioner Hsieh

RESOLUTION NO. 1003-85

DAN WHELAN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Dan Whelan in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: July 29, 1985

AYES: Commissioners Daly, Nelder, Sanchez, Toler
ABSENT: Commissioner Hsieh

RESOLUTION NO. 1004-85

JOEL R. PAUL

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Joel R. Paul in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: July 22, 1985

AYES: Commissioners Daly, Nelder, Sanchez, Toler
ABSENT: Commissioner Hsieh

RESOLUTION NO. 1005-85

DENNIS NELSON

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Dennis Nelson in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: June 23, 1985

AYES: Commissioners Daly, Nelder, Sanchez, Toler
ABSENT: Commissioner Hsieh

RESOLUTION NO. 1006-85

MARGARET HULIHAN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Margaret Hulihan in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: July 25, 1985

AYES: Commissioners Daly, Nelder, Sanchez, Toler
ABSENT: Commissioner Hsieh

RESOLUTION NO. 1007-85

BRIAN J. McGILL

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Brian J. McGill in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: August 3, 1985

AYES: Commissioners Daly, Nelder, Sanchez, Toler
ABSENT: Commissioner Hsieh

RESOLUTION NO. 1008-85

PAULA GAMICK

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Paula Gamick in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: July 30, 1985

AYES: Commissioners Daly, Nelder, Sanchez, Toler
ABSENT: Commissioner Hsieh

RESOLUTION NO. 1009-85

MIKE MARES

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Mike Mares in the sum of $50.00 as the result of loss of personal property, be, and the same is hereby approved.

Date of Incident: April 29, 1985

AYES: Commissioners Daly, Nelder, Sanchez, Toler
ABSENT: Commissioner Hsieh

RESOLUTION NO. 1010-85

WILLIAM E. MEYER

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of William E. Meyer in the sum of $35.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: July 30, 1985

AYES: Commissioners Daly, Nelder, Sanchez, Toler
ABSENT: Commissioner Hsieh

RESOLUTION NO. 1011-85

JULIA RODGERS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Julia Rodgers in the sum of $26.77 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: January 11, 1985

AYES: Commissioners Daly, Nelder, Sanchez, Toler
ABSENT: Commissioner Hsieh

POLICE COMMISSION REPORT

Several Blind persons appeared before the Commission and complained of cars, in all areas of the City, parking on the sidewalk and making it extremely hazardous for them to traverse.

Commissioner Sanchez and acting Chief George Eimil assured them that appropriate bulletins and orders would be issued to members of the Department. in an attempt to alleviate the problem.

CHIEF'S REPORT TO THE POLICE COMMISSION

Deputy Chief George Eimil sitting in for Chief Murphy who is currently on vacation gave the Commission a report and update regarding the Night Stalker Case.

RESOLUTION NO. 991-85

AUTHORIZING ATTENDANCE OF INSPECTOR THOMAS HORAN, OFFICER MARY PETRIE AND OFFICER HENRY FRIEDLANDER, CRIME PREVENTION DIVISION, AT THE CALIFORNIA CRIME PREVENTION OFFICERS' ANNUAL TRAINING CONFERENCE FROM SEPTEMBER 18th to SEPTEMBER 20, 1985

RESOLVED, that the recommendation of the Acting Chief of Police that Inspector Thomas Horan, Officer Mary Petrie and Officer Henry Friedlander of the Crime Prevention Division, be authorized to attend the California Crime Prevention Officers' Annual Training Conference in Costa Mesa, California from September 18th to September 20, 1985, be, and the same is hereby approved; and be it further

RESOLVED, that expenses in the amount of $517.00 each for registration, travel and subsistence will be defrayed by the Department Training Fund.

AYES: Commissioners Daly, Toler, Nelder, Sanchez
ABSENT: Commissioner Hsieh

RESOLUTION NO. 992-85

AUTHORIZING ATTENDANCE OF OFFICER RALPH SCHOENSTEIN, CRIMINALISTICS SECTION, AT THE LATENT FINGERPRINT TECHNIQUES COURSE IN SACRAMENTO, FROM SEPTEMBER 23rd TO SEPTEMBER 27, 1985

RESOLVED, that the recommendation of the Acting Chief of Police that Officer Ralph Schoenstein, Criminalistics Section, be authorized to attend the Latent Fingerprint Techniques Course conducted by the California Department of Justice in Sacramento, be, and the same is hereby approved; and be it further

RESOLVED, that expenses in the amount of $382.00 for subsistence and travel will be reimbursed by P.O.S.T.

AYES: Commissioners Daly, Toler, Nelder, Sanchez
ABSENT: Commissioner Hsieh

RESOLUTION NO. 993-85

AUTHORIZING ATTENDANCE OF LIEUTENANT CHARLES HOENISCH, FENCING DIVISION, AT THE PAWNBROKERS AND SECONDHAND DEALERS ASSOCIATION SEMINAR IN CULVER CITY FROM SEPTEMBER 17th TO SEPTEMBER 20, 1985

RESOLVED, that the recommendation of the Acting Chief of Police that Lieutenant Charles Hoenisch, Fencing Division, be authorized to attend the Pawnbrokers and Secondhand Dealers Association Seminar, conducted by the California Secondhand Dealers Investigators Association, in Culver City from September 17th to September 20, 1985; be and the same is hereby approved; and be it further

RESOLVED, that expenses in the amount of $464.00 for subsistence travel, and registration will be defrayed by the Department Training Fund.

AYES: Commissioners Daly, Toler, Nelder, Sanchez
ABSENT: Commissioner Hsieh

RESOLUTION NO. 994-85

AUTHORIZING ATTENDANCE OF SERGEANT BRUCE FREDIANI, JUVENILE DIVISION, AT THE JUVENILE LAW ENFORCEMENT OFFICERS' COURSE IN OAKLAND, FROM SEPTEMBER 27th & SEPTEMBER 30th AND OCTOBER 1st THROUGH OCTOBER 4, 1985

RESOLVED, that the recommendation of the Acting Chief of Police that Sergeant Bruce Frediani, Juvenile Division, be authorized to attend the Juvenile Law Enforcement Officers Course conducted by the California Youth Authority in Oakland from September 27th & September 30th, and October 1st through October 4, 1985, be, and the same is hereby approved; and be it further

RESOLVED, that expenses in the amount of $198.20 for subsistence, travel and tuition will be reimbursed by P.O.S.T.

AYES: Commissioners Daly, Toler, Nelder, Sanchez
ABSENT: Commissioner Hsieh

PUBLIC HEARING ON REVISION TO GENERAL ORDER P-7, "COUNSELING OF MEMBERS"

Continued two weeks

RESOLUTION NO. 996-85

PROPOSED AMENDMENT TO THE SAN FRANCISCO ADMINISTRATIVE CODE SECTION 10B.2 THEREOF, RELATING TO PAYMENT FOR SERVICES INTO THE SPECIAL LAW ENFORCEMENT PROGRAM AND SPECIAL FUND

WHEREAS, Administrative Code Chapter 10B, Special Law Enforcement Progran and Special Fund, provides that officers performing services under that program are to be paid at the rate of time and one-half for services performed under a Section 10B contract, and

WHEREAS, officers who work between the hours of 5:00 p.m. and 7:00 a.m. are entitled to receive a 6.25% night differential allowance, and

WHEREAS, Administrative Code Section 10B does not allow the Police Department to bill persons or corporations who obtain police services under Section 10B contracts this 6.25% night differential,

WHEREAS, this lack of authorization to charge the rate which must be paid to police officers results in a net cost to the police facilities overtime account of the City and County greater than the sum paid into that account by those who receive services under Section 10B; therefore be it

RESOLVED, that the Police Commission requests the Board of Supervisors to amend Section 10B.2 of Chapter 10B of the San Francisco Administrative Code to require that payments for services provided under Chapter 10B be computed at the rate paid or payable to those uniformed officers of the Police Department actually providing services.

RESOLUTION NO. 997-85

HEARING ON THE DISCIPLINARY CHARGES FILED AGAINST POLICE OFFICER JAMES D. JONES, SOUTHERN STATION

WHEREAS, the date for the setting of the hearing of the disciplinary charges filed against Police Officer James D. Jones, Southern Station, was called it having been set for this date; and

WHEREAS, it was requested by Mr. Everett A. Hewlett, Jr., Attorney at Law, representing Officer James D. Jones, that the date for the hearing before the Police Commission be set for October 3, 1985; therefore be it

RESOLVED, that the hearing of the disciplinary charges filed against Police Officer James D. Jones, Southern Station, is set for Thursday, October 3, 1985 at 1730 hours in Room 551, Hall of Justice.

AYES: Commissioners Daly, Nelder, Sanchez, Toler
ABSENT: Commissioner Hsieh

HEARING OF SERGEANT STEVEN T. SMITH, RICHMOND STATION (CONTINUED FROM MEETING OF AUGUST 29, 1985)

The hearing of Sergeant Steven T. Smith, Richmond Station, was called it having been set for this date.

Sergeant Steven T. Smith appeared in person and was represented by Mr. Stephen T. Whitmore, Attorney at Law.

Mr. Michael E. Gash, Attorney at Law, appeared on behalf of the San Francisco Police Department.

An opening statement for the Defense was made by Mr. Stephen Whitmore.

The following named witness appeared for the Prosecution, was sworn and testified:

Detective Murray Randleman, Half Moon Bay Police Dept.

The following exhibit was entered into evidence by the Prosecution:

Exhibit #6 Incident Report from Half Moon Bay Police Dept. prepared by an Officer Mueller dated March 4, 1985, RE: Domestic Violence Complaint

The following named witnesses appeared for the Defense, were sworn and testified:

Recall Sgt. William Hardeman, Management Control Div.
Sgt. Robert Bernardini, Company A
Lt. Fred H. Lau, Company G
Former Lt. Donald Lucey, 567 Seaver Dr., Mill Valley, CA
Lt. Roy Hicks, Company G
Mr. Richard McKevitt, 34 Greenwood Drive, San Francisco

The following exhibit was entered into evidence by the Defense:

Exhibit A Polygraph Examiner Richard T. McKevitt's Report dated July 23, 1985

After listening to testimony from the above parties, the Commission then adjourned at 9:05 p.m., and the matter was continued to Thursday, October 24, 1985 at 5:30 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Daly, Nelder, Toler
ABSENT: Commissioners Hsieh, Sanchez

(The entire proceedings were taken in shorthand form by Ms Linda Pransky, CSR.)

RESOLUTION NO. 995-85

NOTIFICATION AND FILING OF CHARGES AGAINST POLICE OFFICER GLENN SYLVESTER, MISSION STATION

WHEREAS, charges of violating the Rules and Procedures of the San Francisco Police Department were filed against Police Officer Glenn Sylvester, Mission Station, as follows:

SPECIFICATION NO. 1

Failure to comply with department weight standards (violation of Section II, Subsection A-2 of General Order B-1 of the San Francisco Police Department).

by Cornelius P. Murphy, Chief of Police, San Francisco Police Department, therefore be it

RESOLVED, that the date for the setting of the hearing of the disciplinary charges filed against Officer Glenn Sylvester, Mission Station, is set for Thursday, September 12, 1985, at 5:30 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Daly, Nelder, Sanchez, Toler
ABSENT: Commissioner Hsieh

THE MEETING WAS THEREAFTER ADJOURNED AT 9:05 P.M.

LIEUTENANT WILLIE E. FRAZIER
SECRETARY
THE POLICE COMMISSION

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SEPTEMBER 12, 1985 SPECIAL MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Thursday, September 12, 1985, at 1630 hours in a Special Meeting.

PRESENT: Commissioners Sanchez, Nelder, Daly, Hsieh
ABSENT: Commissioner Toler

Commissioner Sanchez presiding.

HEARING OF POLICE OFFICER DAVID OBERHOFFER, MISSION STATION

The Hearing of Police Officer David Oberhoffer, Mission Station, was called it having been set for this date. Officer Oberhoffer was charged with violating the Rules and Procedures as follows:

CHARGE NO. 1

Engaging in conduct which tends to subvert the good order, efficiency and discipline of the Department and which reflects discredit upon the Department (violation of Rule A-9 of General Order D-1 of the San Francisco Police Department).

CHARGE NO. 2

Engaging in conduct which tends to have the effect of compromising the effective investistation and prosecution of a criminal offense (violation of Rule B-10 of General Order D-1 of the San Francisco Police Department).

in a properly verified complaint by Cornelius P. Murphy, Chief of Police of the San Francisco Police Department.

Police Officer David Oberhoffer appeared in person and was represented by Mr. Stephen Whitmore, Attorney at Law.

Mr. Jerry Akins, Attorney at Law, appeared as Prosecutor for the San Francisco Police Department.

The following named witness appeared for the Prosecution, for rebuttal, was sworn and testified:

Mrs. Melony Schellon Assistant District Attorney

The following named witnesses appeared for the Defense, were sworn and testified:

Lieutenant Croce A. Casciato	Mission Station
Officer Richard Montero	Mission Station
Lieutenant Anthony Ribera	Mission Station
Captain Victor Macia	Mission Station

The following exhibits were entered into evidence by the Defense:

Exhibit A Incident Report #840 190 893, dated February 17, 1984

Closing Statements were made by both Prosecuting and Defense Attorneys.

The Commission took the matter under submission, recessed and returned, finding that Charge No. 1 and Charge No. 2 are sustained.

Based on those findings, The Commission requested a recommendation from Acting Chief of Police, Deputy Chief George Eimil. It is the recommendation of the Acting Chief of Police that Police Officer David Oberhoffer be terminated.

The Commission again took the matter under submission and the following resolution was adopted:

DECISION - HEARING OF OFFICER DAVID OBERHOFFER, MISSION STATION

RESOLUTION NO. 1013-85

WHEREAS, on March 28, 1985, Chief of Police Cornelius P. Murphy, made and served charges against Police Officer David Oberhoffer, Mission Station, as follows:

CHARGE NO. 1

Engaging in conduct which tends to subvert the good order, efficiency and discipline of the Department and which reflects discredit upon the Department (violation of Rule A-9 of General Order D-1 of the San Francisco Police Department);

(1) At all times herein mentioned, David Oberhoffer, Star Number 1206, (hereinafter referred to as "the accused"), was and is a police officer employed by the San Francisco Police Department and was assigned to Mission Police Station;

(2) As a police officer, the accused was and is responsible for knowing and obeying the Rules, Orders, and Procedures of the San Francisco Police Department and the laws of the State of California;

(3) On March 15, 1984, at or about 2210 hours, the accused while on duty, made an arrest for a narcotics violation with the assistance of other San Francisco Police Department officers. In connection with this arrest, the accused wrote and completed a San Francisco Police Department incident report form which sets forth the alleged details of the arrest;

(4) In the course of effecting the arrest, one of the officers assisting the accused in the arrest searched the trunk of the arrestee's automobile and found contraband. Said contraband was given to the accused by said officer;

(5) The accused stated that he purposefully replaced the contraband in the trunk of the arrestee's automobile and made no reference to the contraband or the search of the arrestee's trunk in the San Francisco Police Department incident report;

(6) The accused made other statements in the incident report which were inaccurate and misleading and constituted major material ommissions, as pointed out by the officers who were assisting him, but he did not correct the misstatements;

(7) By filing a San Francisco Police Department incident report which contained misstatements, made intentional omissions which concealed evidence and contained uncorrected errors while on duty and in the employ of the San Francisco Police Department, the accused has engaged in conduct which subverts the good order, efficiency and discipline of the Department and reflects discredit on the Department which constitutes a violation of Rule A-9 of General Order D-1 of the San Francisco Police Department which states:

"Any breach of the peace, neglect of duty, misconduct or any conduct on the part of any member either within or without the state which tends to subvert the good order, efficiency or discipline of the Department or which reflects discredit upon the department or any member thereof or that is prejudicial to the efficiency and discipline of the Department, though such offenses are not specifically defined or laid down in these Rules and Procedures, shall be considered unofficer-like conduct triable and punishable by the Board."

CHARGE NO. 2

Engaging in conduct which tends to have the effect of compromising the effective investigation and prosecution of a criminal offense (violation of Rule B-10 of General Order D-1 of the San Francisco Police Department).

(a) At all times herein mentioned, David Oberhoffer, Star Number 1206 (hereinafter referred to as "the accused"), was and is a police officer employed by the San Francisco Police Department and was assigned to Mission Police Station;

(b) As a police officer, the accused was and is responsible for knowing and obeying the Rules, Orders and Procedures of the San Francisco Police Department;

(c) When the accused prepared incident Report #840 297 803 regarding an arrest made at or near 19th and Mission Streets on March 15, 1984, he failed to include information material to the arrest;

(d) Though another officer discovered contraband in a search of the arrestee's trunk, the accused failed to include said fact in his police report;

(e) The accused falsely testified at preliminary hearing in Municipal Court, Department 9, on May 22, 1984 regarding the arrest indicated by Incident Report #840 297 803 that he retrieved contraband from the driver's side of the front of the arrestee's car;

(f) By failing to include information material to an arrest and by falsely testifying about the arrest the accused engaged in conduct which had the effect of compromising the effective prosecution of a criminal offense which constitutes a violation of Rule B-10 of General Order D-1 of the San Francisco Police Department, which states:

"Except as required by law or Department Order, members shall not divulge any information or engage in any conduct that may have the effect of compromising the effective investigation or prosecution of a criminal offense."

and

WHEREAS, a hearing on said charges was had before The Police Commission pursuant to Section 8.343 of the Charter of the City and County of San Francisco on Thursday, August 15, 1985 and Thursday, September 12, 1985, and that Thursday, September 12, 1985, the matter was submitted to The Police Commission for decision; and

WHEREAS, The Police Commission finds that the said Charges made and filed against Police Officer David Oberhoffer as contained in Charge No. 1, violation of Rule A-9; and Charge No. 2, violation of Rule B-10 of General Order D-1 of the San Francisco Police Department are sustained by the evidence submitted at the hearing; therefore be it

RESOLVED, that based on these findings, consistant with The Commission's duty to protect the health, safety and general welfare of the Citizens of the City and County of San Francisco and the public in general, and in order to promote efficiency and good discipline in the San Francisco Police Department, The Commission orders that the following discipline be imposed:

Change No. 1 [penalty] 90 calendar days suspension
Charge No. 2 [penalty] Termination

and be it further;

RESOLVED, that the penalty for Charge No. 1, totaling 90 calendar days, shall commence on Monday, September 16, 1985 at 0001 hours and end Saturday, December 14, 1985 at 2400 hours. The penalty for Charge No. 2, (Termination) is to be held in abeyance for three (3) years provided that any violations of the Rules, Orders and Procedures of the San Francisco Police Department, committed by Officer David Oberhoffer during that period, the termination sentence will automatically be imposed.

AYES: Commissioners Daly, Hsieh, Nelder, Sanchez
ABSENT: Commissioner Toler

(The entire proceedings were taken in Shorthand Form by Ms. Linda Pransky, CSR.)

Recesses taken during the hearing of Officer Oberhoffer:

5:56 p.m. to 7:12 p.m.

8:30 p.m. to 8:35 p.m.

9:24 p.m. to 9:29 p.m.

10:00 p.m. to 10:04 p.m.

HEARING OF POLICE RICHARD K. MONTERO, MISSION STATION

The Hearing of Police Officer Richard K. Montero, Mission Station, was called it having been set for this date. Police Officer Richard Montero was charged with violating the Rules and Procedures as follows:

CHARGE NO. 1

Engaging in conduct which tends to have the effect of compromising the effective investigation and prosecution of a criminal offense (violation of Rule A-19 of general Order D-1 of the San Francisco Police Department);

CHARGE NO. 2

Engaging in conduct which tends to subvert the good order, efficiency and discipline of the Department and which reflects discredit upon the Department (violation of Rule A-9 of General Order D-1 of the San Francisco Police Department).

in a properly verified complaint by Cornelius P. Murphy, Chief of Police of the San Francisco Police Department.

Police Officer Richard K. Montero appeared in person and was represented by Mr. Charles G. Ogulnik, Attorney at Law.

Mr. Jerry Akins, Attorney at Law, appeared as Prosecutor for the San Francisco Police Department.

The following named witness appeared for the Prosecution, for rebuttal, was sworn and testified:

Mrs. Melony Schellon Assistant District Attorney

The following named witnesses appeared for the Defense, were sworn and testified:

Lieutenant Croce A. Casciato	Mission Station
Officer Richard Montero	Mission Station
Lieutenant Anthony Ribera	Mission Station
Captain Victor Macia	Mission Station

The following exhibits were entered into evidence by the Defense:

Exhibit A Incident Report #840 190 893, dated February 17, 1984

Closing Statements were made by both Prosecuting and Defense Attorneys.

The Commission took the matter under submission, recessed and returned, finding that Charge No. 1 and Charge No. 2 are not sustained and the following resolution was adopted:

RESOLUTION NO. 1014-85

DECISION - HEARING OF OFFICER RICHARD MONTERO, MISSION STATION

WHEREAS, on March 28, 1985, Chief of Police Cornelius P. Murphy, made and served charges against Police Officer Richard Montero, Mission Station, as follows:

CHARGE NO. 1

Engaging in conduct which tends to have the effect of compromising the effective investigation and prosecution of a criminal offense (violation of rule A-19 of General Order D-1 of the San Francisco Police Department);

(a) At all times herein mentioned, Richard Montero, Star 536, (hereinafter referred to as "the accused"), was and is a police officer employed by the San Francisco Police Department and was assigned to Mission Station;

(b) As a police officer, the accused was and is responsible for knowing and obeying the Rules, Orders, and Procedures of the San Francisco Police Department and the laws of the State of California;

(c) On March 15, 1984, at or about 2210 hours, the accused, while on duty, and other officers, participated in an arrest for a narcotics violation at or near 19th and Mission Streets in the City and County of San Francisco;

(d) The police report concerning the arrest was prepared by the accused's partner, Officer David Oberhoffer, Star 1206;

(e) With the accused's knowledge and consent, Officer Oberhoffer's report deleted material information concerning the discovery of contraband by another officer in the trunk of the arrestee's vehicle;

(f) The accused was the senior officer of the reporting unit which was 3D42 responsible for the arrest report;

(g) As the senior officer at the scene of the incident, by permitting the filing of a police report containing major material ommissions, the accused engaged in conduct which prevented the proper completion of an assignment which constitutes a violation of Rule A-19 of General Order D-1 of the San Francisco Police Department, which states:

"Unless otherwise ordered, when two or more members of equal rank are on duty together, the senior member shall be in charge and shall be responsible for the proper completion of the assignment."

CHARGE NO. 2

Engaging in conduct which tends to subvert the good order, efficiency and discipline of the Department and which reflects discredit upon the Department (violation of Rule A-9 of General Order D-1 of the San Francisco Police Department).

(a) At all times herein mentioned, Richard K. Montero, Star 536 (hereinafter referred to as "the accused"), was and is a police officer employed by the San Francisco Police Department and was assigned to Mission Station;

(b) As a police officer, the accused was and is responsible for knowing and obeying the Rules, Orders and Procedures of the San Francisco Police Department and laws of the State of California;

(c) On March 15, 1984, at or about 2210 hours, the accused, while on duty, and other officers, participated in an arrest for a narcotics violation at or near 19th and Mission Streets in the City and County of San Francisco;

(d) The police report concerning the arrest was prepared by the accused's partner, Officer David Oberhoffer, Star 1206;

(e) With the accused's knowledge and consent, Officer Oberhoffer's report deleted material information concerning the discovery of contraband by another officer in the trunk of the arrestee's vehicle;

(f) The accused was the senior officer of the reporting unit which was 3D42 responsible for the arrest report;

(g) The accused's acquiescence in the report submitted by Officer Oberhoffer abetted the compromise of the criminal prosecution of the arrestee;

(h) By engaging in conduct which prevented the proper completion of an assignment and by engaging in conduct which contributed to, or could have contributed to, the compromise of a criminal prosecution, the accused has engaged in conduct which subverts the good order, efficiency and discipline of the Department which constitutes a violation of Rule A-9 of General Order D-1 of the San Francisco Police Department, which states:

"Any breach of the peace, neglect of duty, misconduct or any conduct on the part of any member either within or without the state which tends to subvert the good order, efficiency or discipline of the Department or which reflects discredit upon the department or any member thereof or that is prejudicial to the efficiency and discipline of the Department, though such offenses are not specifically defined or laid down in these Rules and Procedures, shall be considered unofficer-like conduct triable and punishable by the Board."and

WHEREAS, a hearing on said charges was had before The Police Commission pursuant to Section 8.343 of the Charter of the City and County of San Francisco on Thursday, August 15, 1985 and Thursday, September 12, 1985, and that on Thursday, September 12, 1985 the matter was submitted to The Police Commission for decision; and

WHEREAS, the Police Commission finds that the said charges made and filed against Police Officer Richard Montero, Mission Station, as contained in Charge No. 1, violation of Rule A-19 of General Order D-1 and Charge No. 2, violation of Rule A-9 of General Order D-1 of the San Francisco Police Department are not sustained by the evidence presented at the hearing; therefore be it

RESOLVED, that it is the Order of The Police Commission that Police Officer Richard Montero has not violated Charge No. 1, Rule A-19 and Charge No. 2, Rule A-9 of General Order D-1 of the San Francisco Police Department; and be it further

RESOLVED, that it is the Order of The Police Commission that said charges contained in Charge No. 1, Rule A-19 and Charge No. 2, Rule A-9 of General Order D-1 of the San Francisco Police department, be, and the same are hereby dismissed.

AYES: Commissioners Daly, Hsieh, Nelder, Sanchez
ABSENT: Commissioner Toler

(The entire Proceedings were taken in Shorthand Form by Ms. Linda Pransky, CSR.)

Recesses taken during the Hearing of Officer Montero:

5:50 p.m. to 7:12 p.m.

8:30 p.m. to 8:35 p.m.

9:24 p.m. to 9:29 p.m.

10:00 p.m. to 10:04 p.m.

SEPTEMBER 12, 1985 REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Thursday, September 12, 1985, at 1800 hours in a Regular Meeting.

PRESENTATION OF MEDALS OF VALOR AND CERTIFICATES

The following named-members of the Police Department were presented Medal of Valor Awards and Certificates.

James W. Bloesch	Silver	Crime	03/04/85
John S. Colla	Silver	Crime	04/08/85
James P. Lassus	Silver	Crime	04/08/85
Henry Parra, Jr.	Silver	Crime	04/08/85
Joseph L. Weatherman	Silver	Crime	04/08/85
Gregory Corrales	Bronze	Crime	04/13/85
Fred H. Lau	Bronze	Saved Lives	04/16/85
Ignacio Fuentes, Jr.	Bronze	Crime	03/08/85
Lee A. McVeigh	Bronze	Saved Lives	03/21/85
Francisco A. Akin , Jr.	Bronze	Saved Lives	05/11/85
Daryl M. Ball	Bronze	Crime	05/14/85
Wade D. Bailey	Bronze	Crime	11/02/84
Michael D. Burkley	Bronze	Saved Lives	12/28/84
Edgar J. Callejas	Bronze	Saved Lives	05/11/85
Basil J. Canion	Bronze	Saved Lives	05/11/85
Melvin B. Cardenas	Bronze	Saved Lives	05/11/85
Donald P. Ciardella	Bronze	Crime	03/19/85
Jill P. Connolly	Bronze	Saved Lives	04/16/85
Frank Donahue	Bronze	Saved Lives	04/16/85
Edward B. Dullea	Bronze	Saved Lives	05/14/85
Johnnie Flannigan, Jr.	Bronze	Crime	03/21/85
Randy Flannery	Bronze	Saves Life	07/26/84
Kevin L. Hall	Bronze	Saves Life	07/26/84
Sylvia Harper	Bronze	Saved Lives	05/11/85
Jeremiah E. Holland	Bronze	Saved Lives	04/16/85
David J. Householder	Bronze	Crime	11/02/84

James D. Jones	Bronze	Saved Lives	05/11/85
Natalie Kucia	Bronze	Saved Lives	04/16/85
Robert M. Link	Bronze	Saved Lives	05/11/85
Charles E. Lyons	Bronze	Saved Lives	05/11/85
Dennis M. Norris	Bronze	Saved Lives	12/16/85
Gregory L. Ovanessian	Bronze	Saved Lives	04/16/85
Robert M. Ramos	Bronze	Saved Lives	03/19/85
Steven Ratto	Bronze	Crime	03/19/85
Andrew A. Rolfes	Bronze	Crime	11/02/84
Vincent M. Sheehan	Bronze	Saved Lives	04/16/85
David M. Smith	Bronze	Saved Lives	05/11/85
Stephanie Toothaker	Bronze	Saved Lives	05/11/85
Michael F. Travis	Bronze	Saved Lives	05/14/85
Martin Trester	Bronze	Crime	07/28/84
Joe E. Williams	Bronze	Crime	10/13/84
Hoyt L. Wong	Bronze	Saved Lives	03/21/85
Stephen A. Zimmerman	Bronze	Saved Lives	04/16/85
Arthur R. Fong	Bronze	Crime	03/21/85
Fred Crisp	Meritorious Award	Crime	02/07/85
Robert McMillan	Meritorious Award	Crime	02/07/85

APPROVAL OF MINUTES OF MEETING OF AUGUST 29, 1985

Approval of Minutes of the Meeting of August 29, 1985, the Commissioners having received, approved, and returned copies of same.

AYES: Commissioners Daly, Hsieh, Nelder, Sanchez
ABSENT: Commissioner Toler

APPROVAL OF CONSENT CALENDAR

Recommendation of the City Attorney for settlement of the following claims against the City & County of San Francisco:

RESOLUTION NO. 1022-85

JUANA A. FRANKLIN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Juana A. Franklin in the sum of $64.75 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: July 17, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Sanchez
ABSENT: Commissioner Toler

RESOLUTION NO. 1023-85

DON LUECK

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Don Lueck in the sum of $64.75 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 20, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Sanchez
ABSENT: Commissioner Toler

RESOLUTION NO. 1024-85

LISA S. MELNICK

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Lisa S. Melnick in the sum of $64.75 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: August 10, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Sanchez
ABSENT: Commissioner Toler

RESOLUTION NO. 1025-85

MALCOLM McKENZIE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Malcolm McKenzie in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: November 1, 1984

AYES: Commissioners Daly, Hsieh, Nelder, Sanchez
ABSENT: Commissioner Toler

RESOLUTION NO. 1026-85

KATHYE MATHEWS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Kathye Mathews in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: August 10, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Sanchez
ABSENT: Commissioner Toler

RESOLUTION NO. 1027-85

DIANA K. LIN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Diana K. Lin in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: August 12, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Sanchez
ABSENT: Commissioner Toler

RESOLUTION NO. 1028-85

JACQUES HOMSY

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Jacques Homsy in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: August 8, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Sanchez
ABSENT: Commissioner Toler

RESOLUTION NO. 1029-85

JOHN GRAF

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of John Graf in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: August 19, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Sanchez
ABSENT: Commissioner Toler

RESOLUTION NO. 1030-85

ALEXANDER DORE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Alexander Dore in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: July 23 - August 6, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Sanchez
ABSENT: Commissioner Toler

RESOLUTION NO. 1031-85

TODD R. STEVENS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Todd R. Stevens in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 30, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Sanchez
ABSENT: Commissioner Toler

RESOLUTION NO. 1032-85

MARIO MORENO

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Mario Moreno in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: August 5, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Sanchez
ABSENT: Commissioner Toler

RESOLUTION NO. 1020-85

AUTHORIZING ATTENDANCE OF SERGEANT ROBERT HANKINS AND OFFICER JEREMIAH MORGAN, TACTICAL DIVISION, AT THE 12th ANNUAL IN-SERVICE CONFERENCE OF THE INTERNATIONAL ASSOCIATION OF BOMB TECHNICIANS AND INVESTIGATORS IN SAN DIEGO FROM 09/25 TO 09/27/85

RESOLVED, that the recommendation of the Acting Chief of Police that Sergeant Robert Hankins and Officer Jeremiah Morgan, Tactical Division, be authorized to attend the 12th Annual In-Service Conference of the International Association of Bomb Technicians and Investigators in San Diego from September 25th to September 27, 1985, be, and the same is hereby approved; and be it further

RESOLVED, that expenses in the amount of $373.00 each for subsistence, travel and registration will be defrayed by the Department Training Fund.

AYES: Commissioners Daly, Hsieh, Nelder, Sanchez
ABSENT: Commissioner Toler

RESOLUTION NO. 1021-85

AUTHORIZING ATTENDANCE OF INSPECTOR ALBAN WEATHERMAN AND INSPECTOR EDMOND PAASACHE, AUTO SECTION, AT THE WESTERN STATES AUTO THEFT INVESTIGATORS ANNUAL TRAINING SEMINAR IN SOUTH LAKE TAHOE, CALIFORNIA FROM SEPTEMBER 19th TO SEPTEMBER 20, 1985

RESOLVED, that the recommendation of the Chief of Police that that Inspector Alban Weatherman and Inspector Edmond Paasache be authorized to attend the Western States Auto Theft Investigators Annual Training Seminar in South Lake Tahoe, California from September 19th to September 20, 1985, be, and the same is hereby approved.; and be it further

RESOLVED, that expenses in the amount of $276.00 each for tuition, travel and subsistence will be defrayed by the Department Training Fund.

AYES: Commissioners Daly, Hsieh, Nelder, Sanchez
ABSENT: Commissioner Toler

RESOLUTION NO. 1017-85

REQUEST FOR SUPPLEMENTAL APPROPRIATION AMOUNTING TO $892,250 TO FUND CAPITAL IMPROVEMENTS AT THE RECENTLY ACQUIRED POLICE TRAINING CENTER (DIAMOND HEIGHTS ELEMENTARY SCHOOL)

RESOLVED, that The Police Commission hereby approves a supplemental appropriation request amounting to $892,250. This request will provide funding for capital improvements at the recently acquired Police Training Center (Diamond Heights Elementary School).

AYES: Commissioners Daly, Hsieh, Nelder, Sanchez
ABSENT: Commissioner Toler

RESOLUTION NO. 1018-85

SETTING OF DATE FOR HEARING ON THE DISCIPLINARY CHARGES FILED AGAINST POLICE OFFICER GLENN SYLVESTER, MISSION STATION

WHEREAS, the Setting of Date for the hearing on the disciplinary charges filed against Police Officer Glenn Sylvester, Mission Station, was called it having been set for this date; and

WHEREAS, it was requested by Mr. Jerry W. Akins, Attorney at Law, representing the San Francisco Police Department, that the date for the hearing before the Police Commission be set for October 10, 1985; therefore be it

RESOLVED, that the hearing of the disciplinary charges filed against Police Officer Glenn Sylvester, Mission Station, is set for Thursday, October 10, 1985 at 1730 hours in Room 551, Hall of Justice.

AYES: Commissioners Daly, Hsieh, Nelder, Sanchez
ABSENT: Commissioner Toler

RESOLUTION NO. 1019-85

HEARING OF THE DISCIPLINARY CHARGES FILED AGAINST POLICE OFFICER ROY RAMOS, NORTHERN STATION

WHEREAS, the date for the hearing of the disciplinary charges filed against Police Officer Roy Ramos, Northern Station, was called it having been set for this date; and

WHEREAS, it was requested by Mr. Jerry W. Akins, Attorney at Law, representing the San Francisco Police Department, that the date for the hearing before the Police Commission be set for September 26, 1985; therefore be it

RESOLVED, that the hearing of the disciplinary charges filed against Police Officer Roy Ramos, Northern Station, is set for Thursday, September 26, 1985 at 1730 hours in Room 551, Hall of Justice.

AYES: Commissioners Daly, Hsieh, Nelder, Sanchez
ABSENT: Commissioner Toler

POLICE COMMISSION REPORT

No report tonight

CHIEF'S REPORT TO THE POLICE COMMISSION

No report tonight

RESOLUTION NO. 1015-85

REQUEST OF MR. BENJAMIN L. PEREZ, Jr., TO SUSPEND OPERATION OF HIS JITNEY BUS PERMIT FROM SEPTEMBER 12, 1985 TO DECEMBER 12, 1985

WHEREAS, Mr. Benjamin L. Perez, Jr., has requested that permission be granted to suspend operation of his motor vehicle for hire permit from September 12, 1985 to December 12, 1985; and

WHEREAS, Mr. Perez did appear in person and was not represented by counsel; therefore be it

RESOLVED, that it is the Order of The Police Commission that the request of Mr. Benjamin Perez for permission to suspend operation of his motor vehicle for hire permit from September 12, 1985 to December 12, 1985, be, and the same is hereby approved.

AYES: Commissioners Daly, Hsieh, Nelder, Sanchez
ABSENT: Commissioner Toler

RECOMMENDATION OF THE CHIEF OF POLICE THAT THE POLICE COMMISSION REVOKE LIMOUSINE PERMIT #L-28 HELD BY MR. GUNNARD LEPINSKI

Continued one week.

RESOLUTION NO. 1016-85

APPLICATION FOR CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY FOR THE OPERATION OF A TAXICAB - APPROVED

WHEREAS, the applicant appeared at a Public Convenience and Necessity hearing held on Thursday, September 12, 1985; and

WHEREAS, The Commission determined at a Public Convenience and Necessity hearing on Thursday, March 29, 1984, based on the record received at that hearing, that clear and convincing evidence supported a finding that public convenience and necessity required the operation of a certain number of motor vehicle for hire permits; and

WHEREAS, prior to the emergence of Proposition K, there were approximately 711 taxicab permits in the City and County of San Francisco; and

WHEREAS, The Police Commission, pursuant to Resolution No. 283-84, dated March 29, 1984, has set the number at 761 taxicab permits for the City and County of San Francisco; therefore be it

RESOLVED, that the individual applicant appearing before The Commission is qualified to hold a motor vehicle for hire permit, that said taxicab owner permit shall be granted under and shall be revokable under criteria and standards published by The Commission in conjunction with applicable sections of the San Francisco Municipal Code, and shall be and is hereby granted to Sandra Innes.

AYES: Commissioners Daly, Hsieh, Nelder, Sanchez
ABSENT: Commissioner Toler

THE MEETING WAS THEREAFTER ADJOURNED AT 2230 HOURS

Willie E. Frazier

LIEUTENANT WILLIE E. FRAZIER
SECRETARY
THE POLICE COMMISSION

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Minutes

SEPTEMBER 19, 1985 SPECIAL MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Thursday, September 19, 1985, at 1700 hours in a Special Meeting.

PRESENT: Commissioners Sanchez, Nelder, Toler, Daly Hsieh

Commissioner Sanchez presiding.

SEPTEMBER 19, 1985 REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Thursday, September 19, 1985, at 1730 hours in a Regular Meeting.

PRESENT: Commissioners Sanchez, Nelder, Toler, Daly Hsieh

Commissioner Sanchez presiding.

APPROVAL OF MINUTES OF MEETING OF SEPTEMBER 5, 1985

Approval of Minutes of the Meeting of September 5, 1985, the Commissioners having received, approved, and returned copies of same.

APPROVAL OF CONSENT CALENDAR

Recommendation of the City Attorney for settlement of the following claims against the City and County of San Francisco:

RESOLUTION NO. 1033-85

IGNACIO PALOMARIA vs. CITY & COUNTY OF SAN FRANCISCO

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Ignacio Palomaria in the sum of $2,500.00 in United States District Court C83-3921 JPV, entitled "Ignacio Palomaria vs. City & County of San Francisco", as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: March 7, 1983

AYES: Commissioners Daly, Toler, Hsieh, Nelder, Sanchez

RESOLUTION NO. 1034-85

ALLSTATE INSURANCE COMPANY vs. CITY & COUNTY OF SAN FRANCISCO

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Allstate Insurance Company in the sum of $3,512.00 in Superior Court No. 895-668, entitled "Allstate Insurance Company vs. City & County of San Francisco" as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: August 11, 1984

AYES: Commissioners Daly, Toler, Hsieh, Nelder, Sanchez

RESOLUTION NO. 1039-85

WILLIAM AND ESTHER FELZER VS. CITY AND COUNTY OF SAN FRANCISCO

RESOLVED, that judgment made for settlement of litigation of William and Esther Felzer in the sum of $212.25 in Small Claims Court No. 441-373 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: May 31, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Sanchez, Toler

RESOLUTION NO. 1038-85

AUTHORIZATION OF CRIMINOLOGIST SHOJI HORIKOSHI, CRIMINALISTICS SEC., TO ATTEND THE ASSERTIVE SUPERVISION COURSE IN TIBURON FROM SEPT. 30 TO OCT. 2, 1985

RESOLVED, that the recommendation of the Chief of Police that Criminologist Shoji Horikoshi of the Criminalistics Section be authorized to attend the Assertive Supervision Course, conducted by the Southwest Regional Training Center in Tiburon, California from September 30 through October 2, 1985, is hereby approved, and be it further

RESOLVED, that expenses in the amount of $183.80 will be reimbursed by P.O.S.T. to cover tuition, travel and commuter lunch.

AYES: Commissioners Daly, Hsieh, Nelder, Toler Sanchez

POLICE COMMISSION REPORT

No Report.

CHIEF'S REPORT TO THE POLICE COMMISSION

No Report.

PUBLIC HEARING OF REVISION TO GENERAL ORDER NO. P-7 "COUNSELING OF MEMBERS"

Continued one week.

RESOLUTION NO. 1012-85

RECOMMENDATION OF THE CHIEF OF POLICE THAT LIMOUSINE PERMIT NO. L-28 HELD BY GUNNARD LEPINSKI BE REVOKED

WHEREAS, Gunnard Lepinski holds Limousine Permit No. L-28; and

WHEREAS, Chief of Police Cornelius P. Murphy has recommended revocation of this permit; and

WHEREAS, this matter was brought for hearing before the Police Commission of the City and County of San Francisco on Thursday, September 19, 1985; and

WHEREAS, Gunnard Lepinski did appear in person and was not represented by counsel; and

WHEREAS, investigation by the Permit Section revealed that Gunnard Lepinski had failed to operate his limousine on a daily basis in violation of Proposition K, and has not operated his limousine in San Francisco for several years; therefore be it

RESOLVED, that it is the Order of the Police Commission that because Gunnard Lepinski failed to comply with Proposition K, a 1978 Ordinance adopted by the voters of the City and County of San Francisco, his Limousine Permit No. L-28 shall be and the same, is hereby revoked.

AYES: Commissioners Daly, Hsieh, Nelder, Sanchez, Toler

RE-HEARING ON THE POLICE COMMISSION'S REVOCATION OF MR. JOHN THOMAS' LIMOUSINE PERMIT #L-47, RESOLUTION NO. 980-85, DATED AUGUST 29, 1985

Officer Suslow explained to the Commission why this matter is currently on calendar and that it originated because Mr. Thomas was delinquent in the last four out of five years in filing his annual statements with the Department in accordance with Section 1091 of the Municipal Police Code.

He said The Commission subsequently revoked the Permit and Mr. Thomas presented mitigating circumstances and asked for a re-hearing.

Mr. Ronny Rothman, Attorney for Mr. Thomas, appeared on behalf of Mr. Thomas who was not present, but Mrs. Thomas, his wife, was in attendance.

After listening to testimony from the parties, The Commission continued the matter for one week and requested that Mr. Thomas be present at that time.

Motion for continuance was made by Commissioner Nelder and unanimously approved.

HEARING OF POLICE OFFICER CHRISTOPHER OLOCCO, SOUTHERN STATION

The hearing of Police Officer Christopher Olocco, Southern Station, was called it having been set for this date. Officer Christopher Olocco was charges with violating the Rules and Procedures as follows:

CHARGE NO. 1

Drinking intoxicating liquor while on duty and uniform (violation of Rules III, A and III, C of General Order D-1 of the San Francisco Police Department);

CHARGE NO. 2

Engaging in conduct which tends to subvert the good order, efficiency and discipline of the department (violation of Rule A-9 of General Order D-1 of the San Francisco Police Department).

in a properly verified complaint by Cornelius P. Murphy, Chief of Police of the San Francisco Police Department.

Officer Christopher Olocco appeared in person and was represented by Mr. John Prentice, Attorney at Law.

Mr. Jerry Akins appeared on behalf of the San Francisco Police Department.

An opening statement was made by Attorney Jerry Akins for the Prosecution.

An opening statement was made by Attorney John Prentice for the Defense. Attorney Prentice entered a plea of Guilty on behalf of Officer Christopher Olocco.

The Commission unanimously accepted the plea of Guilty to Charge No. 1 and to Charge No. 2 by Officer Olocco.

Based on these findings, the Commission requested a recommendation from Chief of Police Cornelius P. Murphy. It is the recommendation of the Chief of Police that Officer Christopher Olocco be suspended for 45 days, 15 days to be held in abeyance, and 30 days to be imposed.

The Commission took the matter under submission and the following resolution was adopted:

RESOLUTION NO. 1036-85

DECISION - HEARING OF OFFICER CHRISTOPHER OLOCCO, SOUTHERN STATION

WHEREAS, on July 30, 1985, Cornelius P. Murphy, Chief of Police of the San Francisco Police Department, made and served charges against Police Officer Christopher Olocco as follows:

CHARGE NO. 1

Drinking intoxicating liquor while on duty and in uniform (violation of Rules III, A and III, C of General Order D-1 of the San Francisco Police Department);

(1) At all times herein mentioned, Christopher Olocco Star Number 424 (hereinafter referred to as "the accuse"), was and is a police officer employed by the San Francisco Police Department and assigned to the Metropolitan Division, Southern District;

(2) As a police officer, the accused was and is responsible for knowing and obeying the rules, orders and procedures of the San Francisco Police Department;

(3) On June 18, 1985, at or about 2310 hours, a Sergeant at the Southern District received a telephone call from communications stating that an anonymous caller had reported that he had sold vodka to two police officers driving police vehicle number 090, the sale was made near to Lloyd's Bar and the officers allegedly then went upstairs to drink it;

(4) The accused and his partner were assigned to vehicle 090 that evening;

(5) Near the end of the tour of duty, the accused's Lieutenant inquired of the accused if he had consumed beverage alcohol during his tour of duty. The accused denied drinking vodka at Lloyd's Bar but admitted that he went to his camper while on 10-7M and consumed approximately 8 oz. of wine;

(6) The accused and his partner were ordered to submit to an intoxilyzer test. Both officers did submit to an intoxilyzer test at 2330 hours and which test indicated that the accused had 0.04% blood alcohol by weight and that his partner's test was negative for blood alcohol;

(7) As a police officer, the accused has a duty to know and obey the rules, procedures and General Orders of the San Francisco Police Department, not withstanding this duty the accused drank intoxicating liquor while on duty and in uniform, conduct which constitutes a violation of Rules III A and III C of General Order D-4 of the San Francisco Police Department which states:

"III ALCOHOL CONSUMPTION

A. Except as provided by Rule B-1, General Order D-1, a member shall not consume any alcoholic beverage on duty.

. . . .

C. A member shall not consume any alcoholic beverage while in uniform, whether on-duty or off duty."

CHARGE NO. 2

Engaging in conduct which tends to subvert the good order, efficiency and discipline of the department and which reflects discredit upon the department (violation of Rule A-9 of General Order D-1 of the San Francisco Police Department).

(8) Each and every allegation contained in paragraphs (1) through (6), inclusive, is incorporated herein by reference as though set forth in full;

(9) By consuming intoxicating liquor while on duty the accused has engaged in conduct which subverts the good order, efficiency and discipline of the department and reflects discredit on the department which constitutes a violation of Rule A-9 of General Order D-1 of the San Francisco Police Department which states:

"Any breach of the peace, neglect of duty, misconduct or any conduct on the part of any member either within or without the state which tends to subvert the good order, efficiency or discipline of the department or which reflects discredit upon the department or any member thereof or that is prejudicial to the efficiency and discipline of the department, though such offenses are not specifically defined or laid down in these Rules and Procedures, shall be considered unofficer-like conduct triable and punishable by the Board."

and

WHEREAS, a hearing on said charges was held before the Police Commission pursuant to Section 8.243 of the Charter of the City and County of San Francisco on Thursday, September 19, 1985, and on Thursday, September 19, 1985, the matter was submitted to the Police Commission for decision; and

WHEREAS, the Police Commission finds that the allegations contained in Charge No. 1, violation of Rules III, A and III, C of General Order D-1 of the San Francisco Police Department, and Charge No. 2, violation of Rule A-9 of General Order D-1 of the San Francisco Police Department, as preferred by the Chief of Police against Officer Christopher Olocco are sustained; therefore be it

RESOLVED, that based on these findings, consistent with the Commission's duty to protect the health, safety and general welfare of the citizens of the City and County of San Francisco and the public in general, and in order to promote efficiency and good discipline in the San Francisco Police Department, the Police Commission orders the following discipline be imposed:

Charge No. 1	[penalty]	30 calendar days suspension
Charge No. 2	[penalty]	15 calendar days suspension held in abeyance, provided he report to the Chief for Community Service - special assignment

and be it further

RESOLVED, that said suspension totaling 30 calendar days for Charge No. 1 is to be imposed commencing Tuesday, September 24, 1985 at 0001 hours and ending Wednesday, October 23, 1985 at 2400 hours. Penalty for Charge No. 2 is 15 days suspension to be held in abeyance, provided Officer Olocco reports to the Community Services Division for special assignment of community services.

AYES: Commissioners Daly, Hsieh, Nelder, Sanchez, Toler

Recess taken during the hearing of Officer Olocco:

6:55 p.m. to 7:16 p.m.

(The entire proceedings were taken in shorthand form by Ms Linda Pransky, CSR.)

HEARING ON THE APPEAL OF CHIEF'S SUSPENSION OF SERGEANT SERGEANT ALLAN BIERMAN, CENTRAL WARRANT BUREAU

The hearing of the appeal of Sergeant Allan Bierman, Central Warrant Bureau, on his five day suspension imposed by the Chief of Police Cornelius P. Murphy was called, it having been set for this date.

Sergeant Allan Bierman appeared in person and was represented by Mr. Lance Russell, Attorney at Law.

Mr. Jerry Akins, Attorney at Law, appeared as Prosecutor for the San Francisco Police Department.

An opening statement was made by Mr. Jerry Akins for the Prosecution.

An opening statement was made by Mr. Lance Russell for the Defense.

The following named witness appeared for the Prosecution, was sworn and testified:

Lt. James Arnold - Company B

The following exhibits were entered into evidence by the Prosecution:

Exhibit #1 Intra Dept. Memo dated 06/28/85 from Sgt. Bierman to Capt. R. Forni, subject: Bowel Movement

Exhibit #2 Intra-Dept. Memo from Lt. Arnold to Capt. Forni dated 04/25/85, subject: Counseling Session with Sgt. Allan Bierman

The following named witness appeared for the Defense, was sworn and testified:

Sgt. Allan Bierman, Central Warrant Bureau

Thereafter, closing statements were made by Attorney Jerry Akins, Attorney Lance Russell and Chief of Police Cornelius P. Murphy.

The Commission took the matter under submission, after which the following resolution was adopted:

RESOLUTION NO. 1037-85

DECISION - HEARING ON THE APPEAL OF THE CHIEF'S SUSPENSION OF SGT. ALLAN BIERMAN, CENTRAL WARRANT BUREAU

WHEREAS, Sergeant Allan Bierman, Central Warrant Bureau, was suspended without pay by the Chief of Police pursuant to Section 8.343 of the Charter of the City and County of San Francisco, and Rule 3.06 of the Rules and Procedures of the San Francisco Police Department for a period of five days without pay; and

WHEREAS, pursuant to Rule 5.160 of the Rules and Procedures of the San Francisco Police Department, Sergeant Allan Bierman, Central Warrant Bureau, did file with the Police Commission a written appeal of this suspension by the Chief of Police; and

WHEREAS, a hearing on said suspension was heard by the Police Commission on Thursday, September 19, 1985, and on Thursday, September 19, 1985, the matter was submitted to the Police Commission for decision; and

WHEREAS, based on the testimony and evidence presented at the hearing, the Police Commission upholds the Chief's suspension of five days without pay for Sergeant Allan Bierman; therefore be it

RESOLVED, that it is the order of the Police Commission to uphold and sustain the Chief's disciplinary suspension of five (5) days without pay for Sergeant Allan Bierman.

AYES: Commissioners Daly, Hsieh, Nelder, Sanchez, Toler

Recesses taken during the hearing on appeal of suspension of Sergeant Allan Bierman:

8:03 p.m. to 8:06 p.m.
8:34 p.m. to 8:45 p.m.

(The entire proceedings were taken in shorthand form by Ms Linda Pransky, CSR.)

HEARING OF THE DISCIPLINARY CHARGES FILED AGAINST POLICE OFFICER EARL E. WISMER, NORTHERN STATION

RESOLUTION NO. 1040-85

HEARING OF THE DISCIPLINARY CHARGES FILED AGAINST POLICE OFFICER EARL E. WISMER, NORTHERN STATION

WHEREAS, the date for the hearing of the disciplinary charges filed against Police Officer Earl E. Wismer, Northern Station, was called it having been set for this date; and

WHEREAS, it was requested by Mr. John Prentice, Attorney at Law, representing Officer Earl E. Wismer, that the date for the hearing before the Police Commission be set for October 31, 1985; therefore be it

RESOLVED, that the hearing of the disciplinary charges filed against Police Officer Earl E. Wismer, Northern Station, is set for Thursday, October 31, 1985 at 1730 hours in Room 551, Hall of Justice.

AYES: Commissioners Daly, Hsieh, Nelder, Sanchez, Toler

PROPOSALS FOR SAN FRANCISCO POLICE DEPARTMENT'S PROGRAMMATIC BUDGET CUTS TO BE PRESENTED BEFORE THE FINANCE COMMITTEE OF THE BOARD OF SUPERVISORS DURING THEIR BUDGET HEARINGS

Deputy Chief Trueb addressed this matter and presented detailed documents to The Commission outlining specific cuts in the budget that must be made.

The Commission after listening to Deputy Chief Trueb's report said they would continue it for one week in order to study the proposed cuts in order to arrive at an appropriate decision.

The meeting, thereafter, was adjourned at 8:45 p.m.

Willie E. Frazier

LIEUTENANT WILLIE E. FRAZIER
SECRETARY
THE POLICE COMMISSION

SEPTEMBER 26, 1985 REGULAR MEETING

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The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, Thursday, September 26, 1985, at 1730 hours.

PRESENT: Commissioners Sanchez, Toler, Daly, Nelder
ABSENT: Commissioner Hsieh

Commissioner Sanchez presiding.

APPROVAL OF MINUTES OF MEETING OF SEPTEMBER 12, 1985

Approval of Minutes of the Meeting of September 12, 1985, the Commissioners having received, approved, and returned copies of same.

APPROVAL OF CONSENT CALENDAR

There was no Consent Calendar with the Regular Calendar for tonight's meeting.

POLICE COMMISSION REPORT

No Report.

CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Murphy, in submitting his report, requested the Police Commission to adopt an Emergency resolution to repair the roof of the new facility to be known as the Police Training Center. The Commission then adopted the below emergency repair request resolution.

RESOLUTION NO. 1041-85

REQUEST TO PERFORM EMERGENCY ROOF REPAIRS AT THE POLICE TRAINING CENTER, FORMERLY THE DIAMOND HEIGHTS ELEMENTARY SCHOOL, PER SECTION 6.30 OF THE ADMINISTRATIVE CODE

WHEREAS, the rainy season is upon us and the roof on the Police Training Center, formerly the Diamond Heights Elementary School, is in poor condition and in need of immediate repair,

WHEREAS, if emergency repairs are not made immediately, the building and contains, will incur substantial damage,

WHEREAS, such emergency repairs must be made by outside contractors,

WHEREAS, the Police Commission requests that repairs be commenced immediately to forestall damage,

WHEREAS, the Police Department has transferred the necessary funds to the Department of Public Works, now therefore be it

RESOLVED, that the Police Commission requests that emergency repair work be performed on the roof to the Police Training Center, per Section 6.30 of the Administrative Code, and that the roof repairs not exceed $10,000.00

AYES: Commissioners Daly, Nelder, Sanchez, Toler
ABSENT: Commissioner Hsieh

PUBLIC HEARING OF REVISION TO GENERAL ORDER NO. P-7 "COUNSELING OF MEMBERS"

Continued off calendar.

RE-HEARING ON THE POLICE COMMISSION REVOCATION OF MR. JOHN THOMAS' LIMOUSINE PERMIT #L-47, RESOLUTION NO. 980-85, DATED AUGUST 29, 1985

Continued To October 31, 1985.

STATUS REPORT, OFFICE OF CITIZEN COMPLAINTS, MR. FRANK SCHOBER

At this time Mr. Frank Schober, Director of the Office of Citizen Complaints, reported on the Status of his unit. The report, in summation, was excellent progress.

PUBLIC HEARING ON PROPOSALS FOR SAN FRANCISCO POLICE DEPARTMENT'S PROGRAMMATIC BUDGET CUTS TO BE PRESENTED BEFORE THE FINANCE COMMITTEE OF THE BOARD OF SUPERVISORS DURING THEIR BUDGET HEARINGS

Opening statements were made by Deputy Chief Trueb. Thereafter, the below speakers were heard:

1. Mr. Frank Schober -- Office of Citizen Complaints
2. Gwenn Battle -- S.A.F.E.
3. Clifton Holmes -- Western Addition Crime Abatement Committee
4. Julius Zamacona -- Civil Arm Police Community Relations
5. Loretta Whitehead
6. Allen Hebert -- Chairman, S.A.F.E. Volunteer Council
7. Rachel Balliet -- Russian Hill
8. Mark Forrester -- Senior Outreach Escort Service
9. George Pine -- President, City Wide Senior Outreach Escort Service
10. Lieutenant M. Hebel- Commanding Community Service Division
11. Ms. Jerry Sinenian - Lakeshore Improvement Club

The Commission, after listening to the above speakers, agreed to send the Budget with no cuts.

PUBLIC HEARING ON THE PROPOSED "NEW REGULATIONS" FOR PATROL SPECIAL OFFICERS'

Continued 30 days.

RESOLUTION NO. 1042-85

HEARING OF POLICE OFFICER LARRY MURDOCK, MISSION STATION

WHEREAS, the date for the hearing of the disciplinary charges filed against Police Officer Larry Murdock, Mission Station, was called it having been set for this date; and

WHEREAS, it was requested by Mr. Jerry Akins, Attorney at Law, representing the San Francisco Police Department, that the date for the hearing before the Police Commission be set for October 3, 1985; therefore be it

RESOLVED, that the hearing of the disciplinary charges filed against Police Officer Larry Murdock, Mission Station, is set for Thursday, October 3, 1985 at 1730 hours in Room 551, Hall of Justice.

AYES: Commissioners Daly, Hsieh, Nelder, Sanchez, Toler

RESOLUTION NO. 1043-85

HEARING OF THE DISCIPLINARY CHARGES FILED AGAINST POLICE OFFICER ROY RAMOS, NORTHERN STATION

WHEREAS, the date for the hearing of the disciplinary charges filed against Police Officer Roy Ramos, Northern Station, was called it having been set for this date; and

WHEREAS, it was requested by Mr. Jerry W. Akins, Attorney at Law, representing the San Francisco Police Department, that the date for the hearing before the Police Commission be set for October 10, 1985; therefore be it

RESOLVED, that the hearing of the disciplinary charges filed against Police Officer Roy Ramos, Northern Station, is set for Thursday, October 10, 1985 at 1730 hours in Room 551, Hall of Justice.

AYES: Commissioners Daly, Hsieh, Nelder, Sanchez, Toler

HEARING OF POLICE OFFICER DENNIS M. COSTANZO, INGLESIDE STATION

The hearing of Police Officer Dennis M. Costanzo, Ingleside Station, was called it having been set for this date.

Police Officer Dennis M. Costanzo appeared in person and was represented by Mr. Casimir Wilson, Attorney at Law.

Mr. Jerry Akins, Attorney at Law, appeared as Prosecutor for the San Francisco Police Department.

An opening statement was made by Mr. Jerry Akins for the Prosecution.

An opening statement was made by Mr. Casimir Wilson for the Defense. A plea of guilty to the charges was made by Attorney Wilson on behalf of Officer Dennis Costanzo.

The following named witnesses appeared for the Defense, were sworn and testified:

Officer Dennis M. Costanzo, Company H
Captain Michael Lennon, Jr.., Company H

The following exhibit was entered into evidence by Defense:

Exhibit A — Letter from Jeff Postlewaite, M.S., Chemical Dependency Therapist, To Whom It May Concern, Re: Dennis Costanzo, dated 07/30/85

After listening to testimonies from the above parties, motion was made and unanimously approved by the Commission to accept the plea of Officer Dennis Costanzo.

The meeting was adjourned at 8:17 p.m. and the matter was continued to Thursday, October 31, 1985 at 5:30 p.m. in Room 551, Hall of Justice, for the Chief's recommendation and decision by the Commission.

AYES: Commissioner Daly, Hsieh, Nelder, Toler, Sanchez

Recess taken during the hearing of Officer Dennis M. Costanzo:

8:10 p.m. to 8:15 p.m.

(The entire proceeding were taken in shorthand form by Ms. Linda Pransky, CSR.)

RESOLUTION NO. 1044-85

HEARING OF POLICE OFFICER ARLENE M. GEORGE, TECHNICAL SERVICES BUREAU - CENTRAL WARRANTS SECTION

WHEREAS, the date for the hearing of the disciplinary charges filed against Police Officer Arlene M. George, Technical Services Bureau/Central Warrants Section, was called it having been set for this date; and

WHEREAS, it was brought to the attention of the Police Commission that Officer Arlene George has complied with the provisions set forth in Section II, Subsection A-2 of General Order B-1 of the San Francisco Police Department; therefore be it

RESOLVED, that it is the order of the Police Commission that Police Officer Arlene M. George, Technical Services Bureau/Central Warrants Section, is now in compliance with Section II, Subsection A-2 of General Order B-1 and said charges filed against her for this violation, be, and the same are hereby dismissed.

AYES: Commissioners Daly, Hsieh, Nelder, Sanchez, Toler

The meeting, therefore, adjourned at 8:17 p.m.

Willie E. Frazier

LIEUTENANT WILLIE E. FRAZIER
SECRETARY
THE POLICE COMMISSION

OCTOBER 3, 1985 SPECIAL MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Thursday, October 3, 1985 at 1700 hours in a Special Meeting.

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PRESENT: Commissioners Sanchez, Nelder, Toler
ABSENT: Commissioners Hsieh, Daly

Commissioner Sanchez presiding.

1. Attorney-Client Conference

OCTOBER 3, 1985 REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, room 551, Hall of Justice, 850 Bryant Street on Thursday, October 3, 1985 at 1730 hours in a Regular Meeting.

PRESENT: Commissioners Sanchez, Nelder, Toler
ABSENT: Commissioners Hsieh, Daly

Commissioner Sanchez presiding.

APPROVAL OF MINUTES OF MEETING OF SEPTEMBER 19, 1985

Approval of Minutes of the Meeting of September 19, 1985, the Commissioners having received, approved, and returned copies of same.

APPROVAL OF CONSENT CALENDER

Recommendation of the City Attorney for settlement of the following claims against City & County of San Francisco:

RESOLUTION NO. 1045-85

NORMAN M. GARCIA vs. CITY AND COUNTY OF SAN FRANCISCO

RESOLVED, that judgement made for settlement of litigation of Norman M. Garcia in the sum of $1,500.00 in Superior Court No. 808-738 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: September 3, 1982

AYES: Commissioners Nelder, Sanchez, Toler
ABSENT: Commissioners Daly, Hsieh

RESOLUTION NO. 1046-85

ISAIAH ALBERT STUCKS

RESOLVED, that the recommendation of the City of Attorney for settlement of the claim of Isaiah Albert Stucks in the sum of $1,200.00 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: June 19, 1985

AYES: Commissioners Nelder, Sanchez, Toler
ABSENT: Commissioners Daly, Hsieh

RESOLUTION NO. 1047-85

KING YIE CHING, FRANK FAI WONG, ERIC CHACK vs. CITY AND COUNTY OF SAN FRANCISCO, et al

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of King Yie Ching, Frank Fai Wong, Eric Chack vs. City and County of San Francisco, et al, in Superior Court No. 807-239, entitled "Ching, et al vs. City and County of San Francisco, et al" as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: July 6, 1982

AYES: Commissioners Nelder, Sanchez, Toler
ABSENT: Commissioners Daly, Hsieh

RESOLUTION NO. 1048-85

AUTHORIZATION OF MR. TERRY CODDINGTON, CRIMINALISTICS SECTION, TO ATTEND THE X-RAY DIFFRACTION COURSE IN FOSTER CITY FROM OCTOBER 8 TO OCTOBER 10, 1985

RESOLVED, that the recommendation of the Chief of Police that Mr. Terry Coddington, Criminalistics Section, be authorized to attend the X-Ray Diffraction Course, conducted by the Joint Committee for Powder Diffraction Standards and the International Centre for Diffraction Data in Foster City, California from October 8 to October 10, 1985, is hereby approved, and be it further

RESOLVED, that expenses in the amount of $475.00 for tuition will be defrayed by the Department Training Fund.

AYES: Commissioners Nelder, Sanchez, Toler
ABSENT: Commissioners Daly, Hsieh

RESOLUTION NO. 1049-85

AUTHORIZATION OF LIEUTENANT DONALD P. CARLSON, TRAINING SECTION, AND 23 OTHER LIEUTENANTS, TO ATTEND THE MIDDLE MANAGEMENT TRAINING IN LA SELVA BEACH, CALIFORNIA FROM OCTOBER 14 TO OCTOBER 25, 1985

RESOLVED, that the recommendation of the Chief of Police that Lieutenant Donald P. Carlson, Training Section, and twenty-three (23) other Lieutenants, San Francisco Police Department, be authorized to attend the Middle Management Training, conducted by California State University-San Jose, in La Selva Beach, California from October 14 to October 25, 1985, is hereby approved, and be it further

RESOLVED, that expenses for subsistence and travel will not exceed $30,250.00. Subsistence, travel and 60% of the members' salary will be reimbursed by P.O.S.T.

AYES: Commissioners Nelder, Sanchez, Toler
ABSENT: Commissioners Daly, Hsieh

RESOLUTION NO. 1050-85

AUTHORIZATION OF INSPECTOR LLOYD W. CUNNINGHAM, QUESTIONED DOCUMENT SECTION/INVESTIGATIONS, TO ATTEND THE EXAMINATION OF ALTERED BUSINESS RECORDS COURSE, IN EL CAJON FROM OCTOBER 11 TO OCTOBER 13, 1985

RESOLVED, that the recommendation of the Chief of Police that Inspector Lloyd W. Cunningham, Questioned Document Section/Investigations, be authorized to attend the Examination of Altered Business Records Course, conducted by the Southwestern Association of Forensic Document Examiners in El Cajon, California from October 11 to October 13, 1985, is hereby approved, and be it further

RESOLVED, that expenses in the amount of $436.00 for tuition, subsistence and airfare will be defrayed by the Department Training Fund.

AYES: Commissioners Nelder, Sanchez, Toler
ABSENT: Commissioners Daly, Hsieh

RESOLUTION NO. 1062-85

ABC TOWING (SHARON)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing (Sharon) in the sum of $87.75 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: August 25, 1985

AYES: Commissioners Nelder, Sanchez, Toler
ABSENT: Commissioners Daly, Hsieh

RESOLUTION NO. 1063-85

ABC TOWING (ALLAN)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing (Allan) in the sum of $87.75 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: August 15, 1985

AYES: Commissioners Nelder, Sanchez, Toler
ABSENT: Commissioners Daly, Hsieh

RESOLUTION NO. 1064-85

ABC TOWING (SISBARRO)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing (Sisbarro) in the sum of $87.75 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: July 2, 1985

AYES: Commissioners Nelder, Sanchez, Toler
ABSENT: Commissioners Daly, Hsieh

RESOLUTION NO. 1065-85

ABC TOWING (TOWNSEND)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing (Townsend) in the sum of $87.75 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: August 8, 1985

AYES: Commissioners Nelder, Sanchez, Toler
ABSENT: Commissioners Daly, Hsieh

RESOLUTION NO. 1066-85

TIMOTHY PARR

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Timothy Parr in the sum of $76.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: June 8, 1985

AYES: Commissioners Nelder, Sanchez, Toler
ABSENT: Commissioners Daly, Hsieh

RESOLUTION NO. 1067-85

THOMAS R. QUACKENBUSH

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Thomas R. Quackenbush in the sum of $75.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: August 21, 1985

AYES: Commissioners Nelder, Sanchez, Toler
ABSENT: Commissioners Daly, Hsieh

RESOLUTION NO. 1068-85

A. W. BANNOWSKY

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of A. W. Bannowsky in the sum of $64.75 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: July 22, 1985

AYES: Commissioners Nelder, Sanchez, Toler
ABSENT: Commissioners Daly, Hsieh

RESOLUTION NO. 1069-85

ABC TOWING (J. RODRIGUEZ)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing (J. Rodriguez) in the sum of $64.75 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: July 21, 1985

AYES: Commissioners Nelder, Sanchez, Toler
ABSENT: Commissioners Daly, Hsieh

RESOLUTION NO. 1070-85

ABC TOWING (CADIGAN)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing (Cadigan) in the sum of $63.60 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: July 1, 1985

AYES: Commissioners Nelder, Sanchez, Toler
ABSENT: Commissioners Daly, Hsieh

RESOLUTION NO. 1071-85

KAREN K. HSIAO

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Karen K. Hsiao in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: April 23, 1985

AYES: Commissioners Nelder, Sanchez, Toler
ABSENT: Commissioners Daly, Hsieh

RESOLUTION NO. 1072-85

LAVADA L. POLK

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Lavada L. Polk in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: July 22, 1985

AYES: Commissioners Nelder, Sanchez, Toler
ABSENT: Commissioners Daly, Hsieh

RESOLUTION NO. 1073-85

SEISHIRO ISHIKAWA

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Seishiro Ishikawa in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: August 18, 1985

AYES: Commissioners Nelder, Sanchez, Toler
ABSENT: Commissioners Daly, Hsieh

RESOLUTION NO. 1074-85

ELIZABETH K. ROBERTSON

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Elizabeth K. Robertson in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: August 26, 1985

AYES: Commissioners Nelder, Sanchez, Toler
ABSENT: Commissioners Daly, Hsieh

RESOLUTION NO. 1075-85

JUSTINE V. SAMPSON

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Justine V. Sampson in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: August 6, 1985

AYES: Commissioners Nelder, Sanchez, Toler
ABSENT: Commissioners Daly, Hsieh

RESOLUTION NO. 1076-85

BRIAN SHARP

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Brian Sharp in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: August 24, 1985

AYES: Commissioners Nelder, Sanchez, Toler
ABSENT: Commissioners Daly, Hsieh

RESOLUTION NO. 1077-85

FRED TIRRELL

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Fred Tirrell in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: August 8, 1985

AYES: Commissioners Nelder, Sanchez, Toler
ABSENT: Commissioners Daly, Hsieh

RESOLUTION NO. 1078-85

RICHARD ZUCKERMAN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Richard Zuckerman in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: August 17, 1985

AYES: Commissioners Nelder, Sanchez, Toler
ABSENT: Commissioners Daly, Hsieh

RESOLUTION NO. 1079-85

ABC TOWING (C. CORNELL)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing (C. Cornell) in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: July 25, 1985

AYES: Commissioners Nelder, Sanchez, Toler
ABSENT: Commissioners Daly, Hsieh

RESOLUTION NO. 1080-85

ABC TOWING (L. ROBERTS)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing (L. Roberts) in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: August 19, 1985

AYES: Commissioners Nelder, Sanchez, Toler
ABSENT: Commissioners Daly, Hsieh

RESOLUTION NO. 1081-85

ABC TOWING (CONS. CORPS)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing (Cons. Corps) in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: August 7, 1985

AYES: Commissioners Nelder, Sanchez, Toler
ABSENT: Commissioners Daly, Hsieh

RESOLUTION NO. 1082-85

CLINTON R. COOPER

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Clinton R. Cooper in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: July 9, 1985

AYES: Commissioners Nelder, Sanchez, Toler
ABSENT: Commissioners Daly, Hsieh

RESOLUTION NO. 1083-85

YELLOW CAB CO-OP INC

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Yellow Cab Co-Op, Inc. in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: July 14, 1985

AYES: Commissioners Nelder, Sanchez, Toler
ABSENT: Commissioners Daly, Hsieh

RESOLUTION NO. 1084-85

MEGAN CARLSON

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Megan Carlson in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: August 6, 1985

AYES: Commissioners Nelder, Sanchez, Toler
ABSENT: Commissioners Daly, Hsieh

RESOLUTION NO. 1085-85

ROBERT ALAN THOMPSON

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Robert Alan Thompson in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: June 23, 1985

AYES: Commissioners Nelder, Sanchez, Toler
ABSENT: Commissioners Daly, Hsieh

RESOLUTION NO. 1086-85

ELAYNE TERRANOVA

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Elayne Terranova in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: July 18, 1985

AYES: Commissioners Nelder, Sanchez, Toler
ABSENT: Commissioners Daly, Hsieh

RESOLUTION NO. 1087-85

CAROL ANN SWANSON

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Carol Ann Swanson in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: July 11, 1985

AYES: Commissioners Nelder, Sanchez, Toler
ABSENT: Commissioners Daly, Hsieh

RESOLUTION NO. 1088-85

BRUCE SINCLAIR

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Bruce Sinclar in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: July 9, 1985

AYES: Commissioners Nelder, Sanchez, Toler
ABSENT: Commissioners Daly, Hsieh

RESOLUTION NO. 1089-85

JANICE BOLAFFI

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Janice Bolaffi in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: July 24, 1985

AYES: Commissioners Nelder, Sanchez, Toler
ABSENT: Commissioners Daly, Hsieh

RESOLUTION NO. 1090-85

CHARLES PAPPAS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Charles Pappas in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: February 23, 1985

AYES: Commissioners Nelder, Sanchez, Toler
ABSENT: Commissioners Daly, Hsieh

RESOLUTION NO. 1091-85

CHARLES E. WING

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Charles E. Wing in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: August 16, 1985

AYES: Commissioners Nelder, Sanchez, Toler
ABSENT: Commissioners Daly, Hsieh

RESOLUTION NO. 1092-85

TAKAKO ADAMSON

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Takako Adamson in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: August 7, 1985

AYES: Commissioners Nelder, Sanchez, Toler
ABSENT: Commissioners Daly, Hsieh

RESOLUTION NO. 1093-85

LUCIEM DeGEUS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Luciem DeGeus in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: August 19, 1985

AYES: Commissioners Nelder, Sanchez, Toler
ABSENT: Commissioners Daly, Hsieh

RESOLUTION NO. 1094-85

ALEXANDRA BERITZHOFF

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Alexandra Beritzhoff in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: August 1, 1985

AYES: Commissioners Nelder, Sanchez, Toler
ABSENT: Commissioners Daly, Hsieh

RESOLUTION NO. 1095-85

ANA H. DONA

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Ana H. Dona in the sum of $43.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: June 28, 1985

AYES: Commissioners Nelder, Sanchez, Toler
ABSENT: Commissioners Daly, Hsieh

RESOLUTION NO. 1096-85

ABC TOWING (N. DJAMILA)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing (N. Djamila) in the sum of $34.50 as the result of a faulty tow, be, and the same is hereby approved.

AYES: Commissioners Nelder, Sanchez, Toler
ABSENT: Commissioners Daly, Hsieh

RESOLUTION NO. 1097-85

ABC TOWING (LEIGH)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing (Leigh) in the sum of $34.50 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: July 17, 1985

AYES: Commissioners Nelder, Sanchez, Toler
ABSENT: Commissioners Daly, Hsieh

TRAVELING EXPENSE VOUCHERS - APPROVED

RESOLUTION NO. 1055-85

RESOLVED, that the Traveling Expense Voucher submitted by the following named member of the Police Department for expenses incurred in attending the below indicated program, be, and the same is hereby approved.

Sgt. Billye Morrow (Weaponless Defense Instructor School, Santa Rosa, California (08/05/85 - 08/16/85 ($748.49

AYES: Commissioners Nelder, Sanchez, Toler
ABSENT: Commissioners Daly, Hsieh

RESOLUTION NO. 1056-85

RESOLVED, that the Traveling Expense Voucher submitted by the following named member of the Police Department for expenses incurred in attending the below indicated program, be, and the same is hereby approved.

Inspector Howard Bailey (APA and CAPE Seminar
(Reno, Nevada
(08/04/85 - 08/08/85
($555.00

AYES: Commissioners Nelder, Sanchez, Toler
ABSENT: Commissioners Daly, Hsieh

POLICE COMMISSION REPORT

Commissioner Sanchez said the Commission met this afternoon in closed session and no vote was taken.

CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Murphy said the Department Staff met with the Finance Committee of the Board of Supervisors this date and presented the controversial issues on the overall department budget and those mandated programs as required.

STATUS REPORT ON POLICE OFFICER LARRY MURDOCK, MISSION STATION

RESOLUTION NO. 1052-85

WHEREAS, the date for the hearing of the disciplinary charges filed against Police Officer Larry Murdock, Mission Station, was called it having been set for this date; and

WHEREAS, it was requested by Mr. Jerry Akins, Attorney at Law, representing the San Francisco Police Department, that the date for the hearing before the Police Commission be set for October 17, 1985; therefore be it

RESOLVED, that the hearing of the disciplinary charges filed against Police Officer Larry Murdock, Mission Station, is set for Thursday, October 17, 1985 at 1730 hours in Room 551, Hall of Justice.

AYES: Commissioners Nelder, Sanchez, Toler
ABSENT: Commissioners Daly, Hsieh

RESOLUTION NO. 1053-85

DECISION - HEARING OF OFFICER JEAN W. POWERS, MISSION STATION

WHEREAS, on August 1, 1985, Cornelius P. Murphy, Chief of Police of the San Francisco Police Department, made and served charges against Police Officer Jean W. Powers as follows:

CHARGE NO. 1

Failure to obey the lawful order of a superior officer, (violation of Rule A-11, General Order D-1, of the San Francisco Police Department);

(1) At all times herein mentioned Jean W. Powers, Star Number 2226 (hereinafter referred to as "the accused"), was a police officer employed by the San Francisco Police Department and assigned to the Golden Gate Division, Mission Police District;

(2) As a police officer, the accused was and is responsible for knowing and obeying the rules, orders and procedures of the San Francisco Police Department;

(3) On June 30, 1985, at or about 1742 hours, the accused, was off duty and present on the 7000 block of Vineland Avenue in the City of North Hollywood, County of Los Angeles, State of California;

(4) At said time and place, the accused flagged down two members of the Los Angeles Police Department. When they approached the accused, they observed a laceration over the accused's right eye and dried blood on his right temple and ear. In observing his behavior, it appeared to the officers that he was under the influence of some drug;

(5) The accused identified himself as a San Francisco Police Officer and in the course of verifying his status, the Los Angeles Police Department contacted the San Francisco Police Department operations center, which notified the accused's commanding officer. Based on the accused's apparent condition and the belief of the Los Angeles Police Department investigating officers that the accused was under the influence of controlled substances, Lieutenant Winters (the accused's acting commanding officer) ordered the accused to submit to a urine test.

(6) Pursuant to Rule VI, Bi, of General Order D-4, the accused was obligated to submit to a urine test which he refused to do. Rule VI, B1, states, in pertinent part:

"1. If there is reason to believe that a member thas consumed alcohol or any other drugs ... is under their influence to the extent that he comes within the provisions of this order, the officer responsible for the investigation shall order an immediate blood, urine or breath analysis (as may be appropriate to the case). The member, if so ordered, shall immediately submit to such a test."

(7) By refusing to submit to a urine test as ordered by his acting commanding officer, the accused has failed to obey the lawful order of a superior officer which constitutes a violation of Rule A-11 of General Order D-1 of the San Francisco Police Department which states:

"Members shall promptly obey all lawful orders of superiors. If a member is given an order which conflicts with previous orders or with written directives, the member shall advise the superior of the conflict and proceed according to the superior's direction."

CHARGE NO. 2

Failure to obey the lawful order of a superior officer (violation of Rule A-11 of General Order D-1 of the San Francisco Police Department);

(6) Each and every allegation contained in paragraphs (1) through (6), inclusive, of Charge No. 1 is incorporated herein by reference as though set forth in full;

(7) The accused was scheduled to return to duty from a ten day suspension on July 2, 1985. The accused was subpoenaed to testify in court on July 2, 1985 at 0900 hours. The accused telephoned the Assistant District Attorney handling the case at 1630 hours on July 1, 1985, and stated he was in Los Angeles and would not return to testify. This was the second time that he failed to appear to testify in that same case and the case was dismissed.

(8) The accused was scheduled to return to duty at 2300 hours on July 2, 1985. The accused requested that he be permitted to take compensating overtime for the period July 2 through July 5. This request was granted subject to the order that he submit the appropriate paperwork required by Department Orders. The accused did not submit any paperwork and did not report for work. Therefore, the accused was carried as absent without leave for those days;

(9) By failing to report for duty, the accused has failed to obey the lawful orders of superior officers which constitutes a violation of Rule A-11 of General Order D-1 of the San Francisco Police Department which states:

"Members shall promptly obey all lawful orders of superiors. If a member is given an order which conflicts with previous orders or with written directives, the member shall advise the superior of the conflict and proceed according to the superior's direction."

CHARGE NO. 3

Engaging in conduct which tends to subvert the good order, efficiency or discipline of the Department and which reflects discredit upon the Department (violation of Rule A-9 of General Order D-1 of the San Francisco Police Department)

(9) Each and every allegation contained in paragraphs (1) and (5), inclusive, of Charge No. 1 and paragraphs (7) and (8) of Charge No. 2 is incorporated herein by reference as though set forth in full;

(10) By refusing to submit to a urine test as ordered, and by not appearing in court in response to a subpoena, and by taking time off without obeying the order to provide a proper request, the accused has engaged in conduct which subverts the good order, efficiency and discipline of the Department and reflects discredit on the Department, which constitutes a violation of Rule A-9 of General Order D-1 of the San Francisco Police Department which states:

"Any breach of the peace, neglect of duty, misconduct or any conduct on the part of any member either within or without the state which tends to subvert the good order, efficiency or disicpline of the Department or which reflects discredit upon the Department or any member thereof or that is prejudicial to the efficiency and discipline of the Department, though such offenses are not specifically defined or laid down in these Rules and Procedures, shall be considered unofficer-like conduct triable and punishable by the Board."

and

WHEREAS, a hearing on said charges was held before the Police Commission pursuant to Section 8.343 of the Charter of the City and County of San Francisco on Thursday, October 3, 1985, and on Thursday, October 3, 1985, the matter was submitted to the Police Commission for decision; and

WHEREAS, the Police Commission finds that the allegations contained in Charge No. 1, violation of Rule A-11 of General Order D-1 of the San Francisco Police Department, Charge No. 2, violation of Rule A-11 of General Order D-1 of the San Francisco Police Department, and Charge No. 3, violation of Rule A-9 of General Order D-1 of the San Francisco Police Department, as preferred by the Chief of Police against Officer Gene W. Powers, are sustained; therefore be it

RESOLVED, that based on these findings, consistent with the Commission's duty to protect the health, safety and general welfare of the citizens of the City and County of San Francisco and the public in general, and in order to promote efficiency and good discipline in the San Francisco Police Department, the Police Commission orders the following discipline be imposed:

Charge No. 1	[penalty]	30 calendar days suspension
Charge No. 2	[penalty]	Written reprimand
Charge No. 3	[penalty]	30 calendar days suspension held in abeyance for 2 years, provided he join the San Francisco Police Department General Order D-4 Program, with certain conditions as stipulated

and be it further

RESOLVED, that said suspension totaling 30 calendar days for Charge No. 1 is to be imposed commencing Saturday, October 19, 1985 at 0001 hours and ending on Sunday, November 17, 1985 at 2400 hours. A written reprimand will be made on Charge No. 2. The 30 calendar days suspension for Charge No. 3 is to be held in abeyance for two (2) years, on the condition that he join the San Francisco Police Department General Order D-4 Program. He is to submit to alcohol, blood, breath and urine tests during the two year period as ordered by his Superior Officer. He is to submit to periodic checks as stipulated to by both Officer Powers and his attorney who orally agreed with this provision.

AYES: Commissioners Hsieh, Nelder, Sanchez, Toler
ABSENT: Commissioner Daly

Recesses taken during the hearing of Officer Powers:

7:07 p.m. to 7:14 p.m.
8:04 p.m. to 8:14 p.m.
8:18 p.m. to 8:24 p.m.

(The entire proceedings were taken in shorthand form by Ms Linda Pransky, CSR.)

HEARING OF POLICE OFFICER JAMES D. JONES, SOUTHERN STATION

Chief Murphy said he would request that this matter be taken off calendar and let it be disposed of at the Chief's level. Commissioner Toler said he would so move, it was seconded by Commissioner Nelder and unanimously approved.

RESOLUTION NO. 1054-85

The hearing of Police Officer James D. Jones, Southern Station, was called it having been set for this date. Police Officer James D. Jones was charged with violating the Rules and Procedures as follows:

CHARGE NO. 1

Failure to report a vehicle accident while on duty and operating a department vehicle (violation of Rule A-1 of General Order R-1 of the San Francisco Police Department);

CHARGE NO. 2

Failure to prevent crime (violation of Rule A-1 of General Order D-1 of the San Francisco Police Department);

CHARGE NO. 3

Failure to operate department vehicles in a reasonable prudent manner (violation of Rule A-14 of General Order D-11 of the San Francisco Police Department);

CHARGE NO. 4

Engaging in conduct which reflects discredit upon the department (violation of Rule A-9 of General Order D-1 of the San Francisco Police Department).

and

WHEREAS, Chief of Police Cornelius P. Murphy requests that the charges be withdrawn and states that it will be handled administratively; therefore be it

RESOLVED, that charges filed against Police Officer James D. Jones, Southern Station, is continued off calendar by order of the Police Commission.

AYES: Commissioners Hsieh, Nelder, Sanchez, Toler
ABSENT: Commissioner Daly

RESOLUTION NO. 1051-85

AUTHORIZING ACCEPTANCE ON BEHALF OF THE SAN FRANCISCO POLICE DEPARTMENT THE GIFT OF A HORSE VALUED AT $5,000 FOR USE BY THE MOUNTED UNIT, FROM MR. AND MRS. DAVID DORNSFIFE

WHEREAS, Mr. and Mr. David Dornsfife have expressed a desire to donate a horse for the use of the San Francisco Police Department Mounted Unit, and

WHEREAS, this civic minded gesture will provide needed assistance in the protection of life and property in San Francisco, and

WHEREAS, Section 10.116 of the San Francisco Administrative Code allows for the acceptance of gifts by the Department Head of those gifts to the City and County of San Francisco and a value of Five Thousand ($5,000) Dollars or less, and

WHEREAS, it is necessary for a resolution by the Police Commission to authorize the acceptance of such gifts, and

WHEREAS, the generous gift from Mr. and Mrs. Dornsfife has an appraised value of Five Thousand ($5,000) Dollars; now therefore be it

RESOLVED, that the Police Commission of the City and County of San Francisco hereby authorizes the Chief of Police to accept, on behalf of the San Francisco Police Department, a gift from Mr. and Mrs. David Dornsfife of a horse to be used by the San Francisco Police Department Mounted Unit.

AYES: Commissioners Nelder, Sanchez, Toler
ABSENT: Commissioners Daly, Hsieh

The meeting, thereafter, was adjourned at 9:00 p.m. in memory of Former Police Inspector Edward Huegle

LIEUTENANT WILLIE E. FRAZIER
SECRETARY
POLICE COMMISSION

OCTOBER 24, 1985 SPECIAL MEETING

The Police Commission of City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street on Thursday, October 24, 1985, at 1700 hours in a Special Meeting.

AYES: Commissioners Sanchez, Nelder, Daly, Hsieh, Toler

1. Attorney-Client Conference

Commissioner Sanchez presiding.

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OCTOBER 24, 1985 REGULAR MEETING

The Police Commission of City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street on Thursday, October 24, 1985, at 1730 hours in a Regular Meeting.

AYES: Commissioners Sanchez, Nelder, Daly, Hsieh, Toler

Commissioner Sanchez presiding.

APPROVAL OF MINUTES OF MEETING OF October 10, 1985

Approval of Minutes of the Meeting of October 10, 1985, the Commissioners having received, approved, and returned copies of same.

APPROVAL OF CONSENT CALENDAR

Commissioner Sanchez said that all matters on the Consent Calendar are approved with the exception of one item that came in late this afternoon for the Calendar which pertains to an optional Department Training Activity involving 5 officers. He said the Commission will review this matter and get proper justification if it is optional and/or required at any rate the Commission will hold the matter over pertaining to the November 3, Conference until next week for further study and review.

Recommendation of the City Attorney for settlement of the following claims against City & County of San Francisco:

RESOLUTION NO. 1150-85

PHILIP HATFIELD vs. CITY AND COUNTY OF SAN FRANCISCO,

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Philip Hatfield vs. City and County of San Francisco in the sum of $2,660.00 entitled "Philip Hatfield vs. City and County of San Francisco, et al" in Superior Court No. 819-445 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: February 11, 1983

AYES: Commissioners Daly, Hsieh, Nelder, Sanchez, Toler

RESOLUTION NO. 1151-85

JOYCE STOLLER vs. CITY AND COUNTY OF SAN FRANCISCO

RESOLVED, that judgment made for settlement of litigation of Joyce Stoller in the sum of $2,933.65 in Superior Court No. 793-956 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: September 11, 1981

AYES: Commissioners Daly, Hsieh, Nelder, Sanchez, Toler

RESOLUTION NO. 1153-85

DMB AND ASSOCIATES (YELLOW CAB COOPERATIVE)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of DMB and Associates (Yellow Cab Cooperative) in the sum of $1,072.19 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: July 14, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Sanchez, Toler

RESOLUTION NO. 1154-85

WILLIAM S. HUBBARD

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of William S. Hubbard in the sum of $972.87 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: June 9, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Sanchez, Toler

RESOLUTION NO. 1156-85

NALL AND COMPANY

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Nall and Company in the sum of $588.75 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: August 1, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Sanchez, Toler

RESOLUTION NO. 1157-85

RICHARD L. WOMACK, JR

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Richard L. Womack, Jr. in the sum of $373.66 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: July 10, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Sanchez, Toler

RESOLUTION NO. 1158-85

PAULINE S. FISHER

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Pauline S. Fisher in the sum of $310.15 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: May 14, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Sanchez, Toler

RESOLUTION NO. 1159-85

YELLOW CAB COOPERATIVE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Yellow Cab Cooperative in the sum of $219.42 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: July 25, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Sanchez, Toler

RESOLUTION NO. 1155-85

MARY JO BANNON vs. CITY AND COUNTY OF SAN FRANCISCO

RESOLVED, that judgment made for settlement of litigation of Mary Jo Bannon vs. City and County of San Francisco in the sum of $750.00 in Superior Court No. 776-001 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: April 10, 1980

AYES: Commissioners Daly, Hsieh, Nelder, Sanchez, Toler

RESOLUTION NO. 1156-85

NALL AND COMPANY

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Nall and Company in the sum of $588.75 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: August 1, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Sanchez, Toler

RESOLUTION NO. 1157-85

RICHARD L. WOMACK, JR.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Richard L. Womack, Jr. in the sum of $373.66 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: July 10, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Sanchez, Toler

RESOLUTION NO. 1158-85

PAULINE S. FISHER

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Pauline S. Fisher in the sum of $310.15 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: May 14, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Sanchez, Toler

RESOLUTION NO. 1159-85

YELLOW CAB COOPERATIVE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Yellow Cab Cooperative in the sum of $219.42 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: July 25, 1985

AYES: Commissioners Daly, Hsieh, Nelder, Sanchez, Toler

RESOLUTION NO. 1160-85

AUTHORIZATION OF OFFICERS PATRICK TOBIN, DAVID SEYLER, GEOFFREY WILLIAMS AND HEINZ HOFMANN TO ATTEND THE CNOA 21st ANNUAL TRAINING CONFERENCE IN MILLBRAE FROM 10/24 TO 10/27/85

RESOLVED, that the recommendation of the Chief of Police that Officers Patrick Tobin, David Seyler, Geoffrey Williams and Heinz Hofman, Targeted Narcotics Task Force, be authorized to attend the CNOA 21st Annual Training Conference, conducted by the California Narcotic Officers Association in Milbrae, California from October 24 to October 27, 1985, is hereby approved; and be it further

RESOLVED, that expenses in the amount of $146.00 each for tuition, commuter lunches, and travel will be defrayed by the Department Training Fund.

AYES: Commissioners Daly, Hsieh, Nelder, Sanchez, Toler

TRAVELING EXPENSE VOUCHERS - APPROVED

RESOLUTION NO. 1161-85

RESOLVED, that the Traveling Expense Vouchers submitted by the following named members of the Police Department for expenses incurred in attending the below indicated program, be, and the same are hereby approved.

Inspector Thomas Eisemann Inspector Richard Heller	(Basic Juvenile Officers Course (Pacific Grove, California (09/22/85 - 09/27/85 ($587.00 each

AYES: Commissioners Daly, Hsieh, Nelder, Sanchez, Toler

Recommendation of the Chief of Police that Deputy Chief Richard Trueb, Lieutenant Edmund Pecinovsky, Lieutenant Alexander Stevens & Mr. Rea Puccinelli, Administration Bureau, and Lieutenant John Newlin, Traffic Division, be authorized to attend the California Peace Officers' Association All Committee Conference, conducted by the California Peace Officers' Association in Lake Arrowhead, California from November 3rd to November 7, 1985. (This item, referred to under approval of Consent Calendar, was continued one week).

POLICE COMMISSION REPORT

Commissioner Sanchez said the Police Commission had its Cop of the Month Award program which was held yesterday and wants to thank members of the press, in particular, for their excellent coverage pertaining to the positive achievements of the Department. He said also, the Commission did meet in closed session this afternoon pertaining to an Attorney Client Conference under the Brown Act and no vote was taken.

Commissioner Daly said that about 5 weeks ago she brought out the issue of Automobiles parking across the crosswalks and would like to know if the rates of fines for this violation can be raised. She said she knew that there would be support for it at the Board of Supervisors. Deputy Chief Trueb said the Department had given the Legal Office one month to come up with a Legal Position and then to find out if they could give the Commission a draft of some wording to make the change. He said they are doing that now and it is basically an increase in the fine. He said it should be ready to go in a short period of time.

CHIEF'S REPORT TO THE POLICE COMMISSION

Deputy Chief Trueb sitting in for Chief Con Murphy said there is no report from the Chief of Police this week.

RESOLUTION NO. 1152-85

HEARING OF SGT. STEVEN SMITH, RICHMOND STATION (CONTINUED FROM MEETING OF SEPTEMBER 5, 1985)

WHEREAS, the date set for the hearing of disciplinary charges filed against Sergeant Steven Smith, Richmond Station, was called it having been set for this date; and

WHEREAS, it was requested by Mr. Michael E. Gash, Attorney at Law, representing the San Francisco Police Department, that the date for the hearing before the Police Commission be continued to November 7, 1985; therefore be it

RESOLVED, that the hearing of disciplinary charges filed against Sergeant Steven Smith, Richmond Station, is set for Thursday, November 7, 1985 at 1730 hours in Room 551, Hall of Justice.

AYES: Commissioners Daly, Nelder, Toler
ABSENT: Commissioners Hsieh, Sanchez

RESOLUTION NO. 1149-85

NOTIFICATION AND FILING OF CHARGES AGAINST POLICE OFFICER GEORGE A. LOZANO, NORTHERN STATION

WHEREAS, charges of violating the Rules and Procedures of the San Francisco Police Department were filed against Police Officer George A. Lozano, Northern Station, as follows:

CHARGE NO. 1

Failure to appear in court in response to a subpoena and failure to report for duty as required by assignment (violation of Rule I-A of General Order N-3 and Rule A-4 of General Order D-1 of the San Francisco Police Department).

CHARGE NO. 2

Engaging in conduct which subverts the good order, efficiency or discipline of the Department and which brings discredit on the Department (violation of Rule A-9 of General Order D-1 of the San Francisco Police Department).

by Cornelius P. Murphy, Chief of Police, San Francisco Police Department; therefore be it

RESOLVED, that the date for the setting of the hearing of the disciplinary charges filed against Officer George Lozano, Northern Station, is set for Thursday, October 31, 1985 at 5:30 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Daly, Hsieh, Nelder, Sanchez, Toler

The meeting was, thereafter, adjourned at 6:00 p.m.

Willie E. Frazier

LIEUTENANT WILLIE E. FRAZIER
SECRETARY
THE POLICE COMMISSION

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NOVEMBER 21, 1985 SPECIAL MEETING

The Police Commission of the City and County of San Francisco, met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Thursday, November 21, 1985 at 1700 hours on a Special Meeting.

PRESENT: Commissioners Sanchez, Nelder, Daly
ABSENT: Commissioners Toler, Hsieh

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1. Attorney-Client Conference

Commissioner Sanchez presiding.

NOVEMBER 21, 1985 REGULAR MEETING

The Police Commission of the City and County of San Francisco, met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Thursday, November 21, 1985 at 1730 hours on a Regular Meeting.

PRESENT: Commissioners Sanchez, Nelder, Daly
ABSENT: Commissioners Toler, Hsieh

Commissioner Sanchez presiding.

APPROVAL OF MINUTES OF MEETING OF OCTOBER 31, 1985

Approval of minutes of meeting of October 31, 1985, the Commissioners having received, approved, and returned copies of same.

APPROVAL OF CONSENT CALENDAR

Recommendation of the City Attorney for settlement of the following claims against the City and County of San Francisco:

RESOLUTION NO. 1206-85

EDWARD ARNOLD vs. CITY AND COUNTY OF SAN FRANCISCO

RESOLVED, that judgement made for settlement of litigation of Edward Arnold vs. City and County of San Francisco in the sum of $2,405.00 in Superior Court No. 824-248 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: August 8, 1983

AYES: Commissioners Sanchez, Nelder, Daly
ABSENT: Commissioners Hsieh, Toler

RESOLUTION NO. 1207-85

FERNANDO O. BENDANA

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Fernando O. Bendana in the sum of $99.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: June 14, 1985

AYES: Commissioners Daly, Nelder, Sanchez
ABSENT: Commissioners Hsieh, Toler

RESOLUTION NO. 1208-85

ALLAN BROOKSTONE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Allan Brookstone in the sum of $87.75 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 14, 1985

AYES: Commissioners Daly, Nelder, Sanchez
ABSENT: Commissioners Hsieh, Toler

RESOLUTION NO. 1209-85

VINCENT R. FRENCH

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Vincent R. French in the sum of $77.00 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: September 22, 1985

AYES: Commissioners Daly, Nelder, Sanchez
ABSENT: Commissioners Toler, Hsieh

POLICE COMMISSION REPORT

Commissioner Sanchez said he would like to, on behalf of the Commission, welcome Commissioner Nelder back into the fold. (Commissioner Nelder had been slightly ill the past two weeks)

CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Murphy said he had no report for the Commission tonight.

RECOMMENDATION OF THE CHIEF OF POLICE THAT THE POLICE COMMISSION REVOKE JITNEY BUS PERMIT HELD BY ARMANDO PEREZ

Mr. Perez did not appear and Commissioner Nelder said since this is a serious matter Mr. Perez should be contacted once more in an attempt to get him here. He said he would move for a continuance but the Commission should definitely proceed at the next meeting on this item. The matter was then continued for two weeks.

RESOLUTION NO. 1205-85

SETTING OF DATE FOR HEARING OF POLICE OFFICER MICHAEL T. KENNY, VICE CRIMES/NARCOTICS DIVISION

WHEREAS, the date for the setting of the hearing of disciplinary charges filed against Police Officer Michael T. Kenny, Vice Crimes/Narcotics Division, was called it having been set for this date; and

WHEREAS, it was requested by Mr. Michael E. Gash, Attorney at Law, representing the San Francisco Police Department, that the date for the hearing before the Police Commission be set for January 9, 1986; therefore be it

RESOLVED, that the hearing of the disciplinary charges filed against Police Officer Michael T. Kenny, Vice Crimes/
Narcotics Division, is set for Thursday, January 9, 1986 at 5:30 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Daly, Nelder, Sanchez
ABSENT: Commissioners Hsieh, Toler

RESOLUTION NO. 1204-85

HEARING OF POLICE OFFICER MICHAEL KENNY, VICE CRIMES DIVISION/NARCOTICS (CONTINUED FROM NOVEMBER 14, 1985)

WHEREAS, the decision in the hearing of the disciplinary charges filed against Police Officer Michael Kenny, Vice Crimes Division/Narcotics, was called it having been continued from November 14, 1985; and

WHEREAS, it was decided by the Police Commission that this matter would be continued until the conclusion of Case No. C56-158 MEG, scheduled for hearing on Thursday, January 9, 1986; therefore be it

RESOLVED, that the decision in the disciplinary charges filed against Police Officer Michael Kenny, Vice Crimes Division/Narcotics, is set for Thursday, January 9, 1986 at 5:30 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Daly, Nelder, Sanchez
ABSENT: Commissioners Hsieh, Toler

RESOLUTION NO. 1202-85

NOTIFICATION AND FILING OF CHARGES AGAINST OFFICER RICHARD WOO, POLICE COMMUNICATIONS DIVISION

WHEREAS, charges of violating the Rules and Procedures of the San Francisco Police Department were filed against Police Officer Richard Woo, Police Communications Division, as follows:

CHARGE NO. 1

Failure to acquire and maintain a working knowledge of all information required to perform the duties of a police officer (violation of Rule A-7 of General Order D-1 of the San Francisco Police Department);

CHARGE NO. 2

Failure to perform assigned duties promptly and according to Department procedures (violation of Rule A-5 of General Order D-1 of the San Francisco Police Department).

by Cornelius P. Murphy, Chief of Police, San Francisco Police Department; therefore be it

RESOLVED, that the date for the setting of the hearing of the disciplinary charges filed against Officer Richard Woo, is set for Thursday, December 5, 1985 at 5:30 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Sanchez, Daly, Nelder
ABSENT: Commissioners Hsieh, Toler

RESOLUTION NO. 1203-85

NOTIFICATION AND FILING OF CHARGES AGAINST POLICE OFFICER WILLIAM TERCERO, RICHMOND STATION

WHEREAS, charges of violating the Rules and Procedures of the San Francisco Police Department were filed against Police Officer William Tercero, Richmond Station, as follows:

CHARGE NO. 1

Engaging on conduct which tends to subvert the good order, efficiency or discipline of the Department and which reflects discredit upon the Department (violation of Rule A-9 of General Order D-1 of the San Francisco Police Department)

by Cornelius P. Murphy, Chief of Police, San Francisco Police Department; therefore be it

RESOLVED, that the date for the setting of the hearing of the disciplinary charges filed against Officer William Tercero, Richmond Station, is set for Thursday, December 5, 1985 at 5:30 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Daly, Nelder, Sanchez
ABSENT: Commissioners Hsieh, Toler

The Commission then adjourned, in memory of the late San Francisco Police Department Inspector Dale Smith, at 6:30 PM.

LIEUTENANT WILLIE E. FRAZIER
SECRETARY
THE POLICE COMMISSION

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The Police Commission Meeting for November 28, 1985, was cancelled.

LIEUTENANT WILLIE E. FRAZIER
SECRETARY
THE POLICE COMMISSION

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DECEMBER 5, 1985 SPECIAL MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Thursday, December 5, 1985 at 1700 hours on a Special Meeting.

1. Attorney-Client Conference

PRESENT: Commissioners Sanchez, Nelder, Daly, Toler
ABSENT: Commissioner Hsieh

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Commissioner Sanchez presiding.

DECEMBER 5, 1985 REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Thursday, December 5, 1985 at 1730 hours on a Regular Meeting.

AYES: Commissioners Sanchez, Nelder, Daly, Toler
ABSENT: Commissioner Hsieh

Commissioner Sanchez presiding.

APPROVAL OF MINUTES OF MEETING OF OCTOBER 31, 1985

Approval of minutes of meeting of October 31, 1985, the Commissioners having received, approved and returned copies of same.

APPROVAL OF CONSENT CALENDAR

Recommendation of the City Attorney for settlement of the following claims against the City and County of San Francisco:

RESOLUTION NO. 1216-85

DONALD C. LEVY vs. CITY AND COUNTY OF SAN FRANCISCO

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Donald C. Levy in the sum of $2,499.00 entitled "Donald C. Levy vs. City and County of San Francisco" in Superior Court No. 806-583 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: May 2, 1982

AYES: Commissioners Daly, Nelder, Sanchez, Toler
ABSENT: Commissioner Hsieh

RESOLUTION NO. 1220-85

TIMOTHY J. PAUL

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Timothy J. Paul in the sum of $1,000.00 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: June 30, 1985

AYES: Commissioners Daly, Nelder, Sanchez, Toler
ABSENT: Commissioner Hsieh

RESOLUTION NO. 1221-85

ABC TOWING (SMITH)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing (Smith) in the sum of $87.75 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 25, 1985

AYES: Commissioners Daly, Nelder, Sanchez, Toler
ABSENT: Commissioner Hsieh

RESOLUTION NO. 1222-85

ABC TOWING (RHODEN)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing (Rhoden) in the sum of $87.75 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 4, 1985

AYES: Commissioners Daly, Nelder, Sanchez, Toler
ABSENT: Commissioner Hsieh

RESOLUTION NO. 1223-85

ABC TOWING (MAMOU)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing (Mamou) in the sum of $87.75 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: o/a July 25 - September 30, 1985

AYES: Commissioners Daly, Nelder, Sanchez, Toler
ABSENT: Commissioner Hsieh

RESOLUTION NO. 1224-85

ABC TOWING (MOORE)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing (Moore) in the sum of $87.75 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 16, 1985

AYES: Commissioners Daly, Nelder, Sanchez, Toler
ABSENT: Commissioner Hsieh

RESOLUTION NO. 1225-85

ABC TOWING (RIVERS)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing (Rivers) in the sum of $87.75 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 9, 1985

AYES: Commissioners Daly, Nelder, Sanchez, Toler
ABSENT: Commissioner Hsieh

RESOLUTION NO. 1226-85

CRAIG JONES

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Craig Jones in the sum of $80.85 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: July 28, 1985

AYES: Commissioners Daly, Nelder, Sanchez, Toler
ABSENT: Commissioner Hsieh

RESOLUTION NO. 1227-85

YENG L. LEE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Yeng L. Lee in the sum of $76.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 11, 1985

AYES: Commissioners Daly, Nelder, Sanchez, Toler
ABSENT: Commissioner Hsieh

RESOLUTION NO. 1228-85

ABC TOWING (GRIMA)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing (Grima) in the sum of $76.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 10, 1985

AYES: Commissioners Daly, Nelder, Sanchez, Toler
ABSENT: Commissioner Hsieh

RESOLUTION NO. 1229-85

WALTER ANG

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Walter Ang in the sum of $64.75 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 29, 1985

AYES: Commissioners Daly, Nelder, Sanchez, Toler
ABSENT: Commissioner Hsieh

RESOLUTION NO. 1230-85

ROBERT MOLZER

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Robert Molzer in the sum of $64.75 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 14, 1985

AYES: Commissioners Daly, Nelder, Sanchez, Toler
ABSENT: Commissioner Hsieh

RESOLUTION NO. 1231-85

PHYLLIS LOVELL

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Phyllis Lovell in the sum of $64.75 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 2, 1985

AYES: Commissioners Daly, Nelder, Sanchez, Toler
ABSENT: Commissioner Hsieh

RESOLUTION NO. 1232-85

ABC TOWING (HUSTER)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing (Huster) in the sum of $63.60 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: July 25, 1985

AYES: Commissioners Daly, Nelder, Sanchez, Toler
ABSENT: Commissioner Hsieh

RESOLUTION NO. 1233-85

ABC TOWING (SCHEXNAYDER)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing (Schexnayder) in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 18, 1985

AYES: Commissioners Daly, Nelder, Sanchez, Toler
ABSENT: Commissioner Hsieh

RESOLUTION NO. 1234-85

ABC TOWING (THORNTON)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing (Thornton) in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 29, 1985

AYES: Commissioners Daly, Nelder, Sanchez, Toler
ABSENT: Commissioner Hsieh

RESOLUTION NO. 1235-85

ABC TOWING (URUGUAY CONS. CORP.)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing (Uruguay Cons. Corp.) in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 30, 1985

AYES: Commissioners Daly, Nelder, Sanchez, Toler
ABSENT: Commissioner Hsieh

RESOLUTION NO. 1236-85

DANIEL J. KEENAN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Daniel J. Keenan in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 18, 1985

AYES: Commissioners Daly, Nelder, Sanchez, Toler
ABSENT: Commissioner Hsieh

RESOLUTION NO. 1237-85

ANTONIO DIAZ

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Antonio Diaz in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 3, 1985

AYES: Commissioners Daly, Nelder, Sanchez, Toler
ABSENT: Commissioner Hsieh

RESOLUTION NO. 1238-85

JOHN P. COYNE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of John P. Coyne in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 17, 1985

AYES: Commissioners Daly, Nelder, Sanchez, Toler
ABSENT: Commissioner Hsieh

RESOLUTION NO. 1239-85

MILDRED R. BURFORD

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Mildred R. Burford in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 14, 1985

AYES: Commissioners Daly, Nelder, Sanchez, Toler
ABSENT: Commissioner Hsieh

RESOLUTION NO. 1240-85

BRIAN THOMAS WORDEN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Brian Thomas Worden in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 9, 1985

AYES: Commissioners Daly, Nelder, Sanchez, Toler
ABSENT: Commissioner Hsieh

RESOLUTION NO. 1241-85

FLOYD KIMBERLY

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Floyd Kimberly in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: August 23, 1985

AYES: Commissioners Daly, Nelder, Sanchez, Toler
ABSENT: Commissioner Hsieh

RESOLUTION NO. 1242-85

FLOYD KIMBERLY

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Floyd Kimberly in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: August 24, 1985

AYES: Commissioners Daly, Nelder, Sanchez, Toler
ABSENT: Commissioner Hsieh

RESOLUTION NO. 1243-85

DECELL LITSEY

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Decell Litsey in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: August 27, 1985

AYES: Commissioners Daly, Nelder, Sanchez, Toler
ABSENT: Commissioner Hsieh

RESOLUTION NO. 1244-85

MATTHEW M. POLSDORE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Matthew M. Polsdore in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 26, 1985

AYES: Commissioners Daly, Nelder, Sanchez, Toler
ABSENT: Commissioner Hsieh

RESOLUTION NO. 1245-85

ROBERTO E. REYES

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Roberto E. Reyes in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: June 6, 1985

AYES: Commissioners Daly, Nelder, Sanchez, Toler
ABSENT: Commissioner Hsieh

RESOLUTION NO. 1246-85

ALAN YUN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Alan Yun in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 7, 1985

AYES: Commissioners Daly, Nelder, Sanchez, Toler
ABSENT: Commissioner Hsieh

RESOLUTION NO. 1247-85

RUTH FIELDS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Ruth Fields in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 8, 1985

AYES: Commissioners Daly, Nelder, Sanchez, Toler
ABSENT: Commissioner Hsieh

RESOLUTION NO. 1248-85

CALVIN CHOW

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Calvin Chow in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 28, 1985

AYES: Commissioners Daly, Nelder, Sanchez, Toler
ABSENT: Commissioner Hsieh

RESOLUTION NO. 1249-85

JOHN T. ALEXANDER

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of John T. Alexander in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 25, 1985

AYES: Commissioners Daly, Nelder, Sanchez, Toler
ABSENT: Commissioner Hsieh

RESOLUTION NO. 1250-85

SUSAN M. REGAN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Susan M. Regan in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 20, 1985

AYES: Commissioners Daly, Nelder, Sanchez, Toler
ABSENT: Commissioner Hsieh

RESOLUTION NO. 1251-85

LAWRENCE E. KRAFT

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Lawrence E. Kraft in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 25, 1985

AYES: Commissioners Daly, Nelder, Sanchez, Toler
ABSENT: Commissioner Hsieh

RESOLUTION NO. 1252-85

ALBERT L. WONG

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Albert L. Wong in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: August 24, 1985

AYES: Commissioners Daly, Nelder, Sanchez, Toler
ABSENT: Commissioner Hsieh

RESOLUTION NO. 1253-85

RAFAEL VELASQUEZ

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Rafael Velasquez in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 15, 1985

AYES: Commissioners Daly, Nelder, Sanchez, Toler
ABSENT: Commissioner Hsieh

RESOLUTION NO. 1254-85

CECILE MOURAUX

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Cecile Mouraux in the sum of $35.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: August 16, 1985

AYES: Commissioners Daly, Nelder, Sanchez, Toler
ABSENT: Commissioner Hsieh

RESOLUTION NO. 1255-85

JAMES E. GEWOCHIO

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of James E. Gewochio in the sum of $35.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: August 28, 1985

AYES: Commissioners Daly, Nelder, Sanchez, Toler
ABSENT: Commissioner Hsieh

RESOLUTION NO. 1256-85

ABC TOWING (SMITH)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing (Smith) in the sum of $34.50 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 4, 1985

AYES: Commissioners Daly, Nelder, Sanchez, Toler
ABSENT: Commissioner Hsieh

RESOLUTION NO. 1257-85

ABC TOWING (YOUNG)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing (Young) in the sum of $34.50 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 16, 1985

AYES: Commissioners Daly, Nelder, Sanchez, Toler
ABSENT: Commissioner Hsieh

RESOLUTION NO. 1258-85

ABC TOWING (SIMI)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing (Simi) in the sum of $34.50 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: O/A June 16 - September 20, 1985

AYES: Commissioners Daly, Nelder, Sanchez, Toler
ABSENT: Commissioner Hsieh

RESOLUTION NO. 1217-85

AUTHORIZATION OF OFFICERS VICKI QUINN AND LYNNE TORRES TO ATTEND THE AEROBIC CERTIFICATION CLINIC IN HAYWARD, CA FROM DECEMBER 7 TO DECEMBER 8, 1985

RESOLVED, that the recommendation of the Chief of Police that Officers Vicki Quinn and Lynne Torres, Training Section, be authorized to attend the Aerobic Certification Clinic, conducted by California State University in Hayward, California from December 7 to December 8, 1985, is hereby approved; and be it further

RESOLVED, that expenses in the amount of $135.00 each for tuition, commuter lunches and travel will be defrayed by the Department Training Fund.

AYES: Commissioners Daly, Nelder, Sanchez, Toler
ABSENT: Commissioner Hsieh

RESOLUTION NO. 1218-85

AUTHORIZATION OF SGT. TIMOTHY FOLEY, OFFICERS FRANK DONAHUE, RICHARD ALVES, HANS BEN VIGIL, PATRICK BURKE AND ROD NAKANISHI TO ATTEND THE GANG SEMINAR IN BURLINGAME FROM DEC. 4, 1985 TO DEC. 6, 1985

RESOLVED, that the recommendation of the Chief of Police that Sergeant Timothy Foley, Officer Frank Donahue, Richmond Station, Officers Richard Alves, Hans Ben Vigil and Patrick Burke, Northern Station, and Officer Rod Nakanishi, Potrero Station, be authorized to attend the Gang Seminar, conducted by the National Law Enforcement Institute, Inc. in Burlingame, California from December 4 to December 6, 1985, is hereby approved; and be it further

RESOLVED, that expenses in the amount of $125.00 each for registration will be defrayed by the Department Training Fund.

AYES: Commissioners Daly, Nelder, Sanchez, Toler
ABSENT: Commissioner Hsieh

RESOLUTION NO. 1219-85

AUTHORIZATION OF OFFICER FARRELL E. SUSLOW TO ATTEND THE VS ADMINISTRATION AND OPERATIONS (V10) IN SAN FRANCISCO FROM DECEMBER 16 TO DECEMBER 20, 1985

RESOLVED, that the recommendation of the Chief of Police that Officer Farrell E. Suslow, Staff Services, be authorized to attend the VS Administration and Operations (V10) conducted by the Wang Laboratories, Inc., in San Francisco, California from December 16 to December 20, 1985, is hereby approved; and be it further

RESOLVED, that expenses in the amount of $920.00 for tuition will be defrayed by the Department Training Fund.

AYES: Commissioners Daly, Nelder, Sanchez, Toler
ABSENT: Commissioner Hsieh

TRAVELING EXPENSE VOUCHERS - APPROVED

RESOLUTION NO. 1261-85

RESOLVED, that the Traveling Expense Voucher submitted by the following named member of the Police Department for expenses incurred in attending the below indicated program, be, and the same is hereby approved.

Lt. Edmund Pecinovsky	(Officer Safety and Field Tactics for Trainers (San Luis Obispo, California (10/28/85 - 11/01/85 ($577.00

AYES: Commissioners Daly, Nelder, Sanchez, Toler
ABSENT: Commissioner Hsieh

RESOLUTION NO. 1262-85

RESOLVED, that the Traveling Expense Vouchers submitted by the following named members of the Police Department for expenses incurred in attending the below indicated program, be, and the same are hereby approved.

Deputy Chief Richard Trueb Lt Edmund Pecinovsky Lt. John Newlin	(C.P.O.A. All Committee Conference (Lake Arrowhead, California (11/03/85 - 11/07/85 ($533.00, $433.00 and $533.00, respectively

AYES: Commissioners Daly, Nelder, Sanchez, Toler
ABSENT: Commissioner Hsieh

RESOLUTION NO. 1263-85

RESOLVED, that the Traveling Expense Vouchers submitted by the following named members of the Police Department for expenses incurred in attending the below indicated program, be, and the same are hereby approved.

Inspector Thomas Arnold Inspector Bruce Lorin	(Investigation of Homicide and Violent Crimes (Sacramento, California (10/21/85 - 10/25/85 ($349.00 each

AYES: Commissioners Daly, Nelder, Sanchez, Toler
ABSENT: Commissioner Hsieh

RESOLUTION NO. 1264-85

RESOLVED, that the Traveling Expense Voucher submitted by the following named member of the Police Department for expenses incurred in attending the below indicated program, be, and the same is hereby approved.

Lt. James A. Tedesco	(Data High-Technology Training Seminar (Santa Clara County, California (10/28/85 - 11/01/85 ($299.00

AYES: Commissioners Daly, Nelder, Sanchez, Toler
ABSENT: Commissioner Hsieh

RESOLUTION NO. 1265-85

RESOLVED, that the Traveling Expense Voucher submitted by the following named member of the Police Department for expenses incurred in attending the below indicated program, be, and the same is hereby approved.

Criminologist Shoji Horikoshi	(Assertive Supervision (Tiburon, California (09/30/85 - 10/02/85 ($183.80

AYES: Commissioners Daly, Nelder, Sanchez, Toler
ABSENT: Commissioner Hsieh

RESOLUTION NO. 1266-85

RESOLVED, that the Traveling Expense Vouchers submitted by the following named members of the Police Department for expenses incurred in attending the below indicated program, be, and the same are hereby approved.

Sgt. Donald Blaine	(S.W.A.T. Refresher
Sgt. Cornelius Crowley	(Fort Ord, California
	(10/29/85 - 10/30/85
	($924.00 each

AYES: Commissioners Daly, Nelder, Sanchez, Toler
ABSENT: Commissioner Hsieh

POLICE COMMISSION REPORT

Commissioner Sanchez said the Commission met this afternoon in Closed Session under the Brown Act pertaining to an Attorney Client Conference and no vote was taken.

CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Murphy said he had no report for the Commission tonight.

RESOLUTION NO. 1210-85

AUTHORIZING ACCEPTANCE OF REWARD IN THE AMOUNT OF $75.00 BY OFFICER DANIEL H. SUI FOR THE APPREHENSION OF MILITARY DESERTER DANIEL P. CUMMINGS

RESOLVED, that the Police Commission of the City and County of San Francisco hereby authorizes Officer Daniel H. Sui to accept a reward in the amount of $75.00 for apprehension of Daniel P. Cummings, a military deserter, on October 23, 1985.

AYES: Commissioners Daly, Nelder, Sanchez, Toler
ABSENT: Commissioner Hsieh

RESOLUTION NO. 1211-85

LEAVE OF ABSENCE WITHOUT PAY PENDING HEARING OF CHARGES - OFFICER MICHAEL T. KENNY, VICE CRIMES/NARCOTICS - APPROVED

WHEREAS, Police Officer Michael T. Kenny, Vice Crimes - Narcotics Division, was suspended without pay effective 0900 hours on Thursday, November 7, 1985, pending hearing of charges before the Police Commission; and

WHEREAS, Police Officer Michael T. Kenny has requested a Leave of Absence Without Pay pending hearing of charges before the Police Commission; therefore be it

RESOLVED, that Police Officer Michael T. Kenny, Vice Crimes - Narcotics Division, be placed on Leave of Absence Without Pay at his request for a period of thirty-four (34) days commencing December 7, 1985 through January 9, 1986, inclusive, be, and the same is hereby approved.

AYES: Commissioners Daly, Nelder, Sanchez, Toler
ABSENT: Commissioner Hsieh

RESOLUTION NO. 1212-85

STATUS REPORT ON POLICE OFFICER ROY M. RAMOS, NORTHERN STATION

WHEREAS, the status report of Police Officer Roy M. Ramos, Northern Station, was called it having been set for this date, and

WHEREAS, Police Officer Roy M. Ramos appeared in person and was represented by Police Officer Edward Garcia, Northern Police Station Representative; and

WHEREAS, Mr. Jerry Akins, Attorney at Law, appeared as Prosecutor for the San Francisco Police Department; and

WHEREAS, at the Police Commission meeting of Thursday, October 10, 1985, the Police Commission issued Officer Roy M. Ramos a suspension totaling 120 calendar days, with the provision that based on his progress from this date to December 5, 1985, a decision will be made to rescind or continue the last 60 days of his suspension, and

WHEREAS, Chief of Police Cornelius P. Murphy indicated that Officer Ramos has made significant progress and he recommends a rescission of the last 60 days of Officer Ramos' suspension; therefore be it

RESOLVED, that the Police Commission accepts the recommendation of the Chief of Police; and be it further

RESOLVED, that the suspension of Officer Roy M. Ramos which commenced on Saturday, November 2, 1985 at 0001 hours is to end on Friday, December 31, 1985 at 2400 hours.

AYES: Commissioners Daly, Nelder, Sanchez, Toler
ABSENT: Commissioner Hsieh

RESOLUTION NO. 1213-85

SETTING OF DATE FOR HEARING OF POLICE OFFICER WILLIAM TERCERO, RICHMOND STATION

WHEREAS, the date for the setting of the hearing of disciplinary charges filed against Police Officer William Tercero, Richmond Station, was called it having been set for this date; and

WHEREAS, it was requested by Mr. Jerry Akins, Attorney at Law, representing the San Francisco Police Department, that the date for the hearing before the Police Commission be set for January 16, 1986; therefore be it

RESOLVED, that the hearing of the disciplinary charges filed against Police Officer William Tercero, Richmond Station, is set for Thursday, January 16, 1986 at 5:30 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Daly, Nelder, Sanchez, Toler
ABSENT: Commissioner Hsieh

RESOLUTION NO. 1214-85

SETTING OF DATE FOR HEARING OF POLICE OFFICER RICHARD WOO, POLICE COMMUNICATIONS DIVISION

WHEREAS, the date for the setting of the hearing of disciplinary charges filed against Police Officer Richard Woo, Police Communications Division, was called it having been set for this date; and

WHEREAS, it was requested by Mr. Jerry Akins, Attorney at Law, representing the San Francisco Police Department, that the date for the hearing before the Police Commission be set for January 23, 1986; therefore be it

RESOLVED, that the hearing of the disciplinary charges filed against Police Officer Richard Woo, Police Communications Division, is set for Thursday, January 23, 1986 at 5:30 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Daly, Nelder, Sanchez, Toler
ABSENT: Commissioner Hsieh

RESOLUTION NO. 1215-85

PUBLIC HEARING ON REVISION TO DEPARTMENT GENERAL ORDER NO. F-4, "USE OF FORCE"

RESOLVED, that the Police Commission hereby adopts Department General Order No. F-4, "Use of Force".

AYES: Commissioners Daly, Nelder, Sanchez, Toler
ABSENT: Commissioner Hsieh

PRESENTATION BY THE OFFICE OF CITIZEN COMPLAINTS REGARDING RECOMMENDATIONS FOR THE SAN FRANCISCO POLICE DEPARTMENT

Commissioner Sanchez said this item is to be held over to the next Commission meeting.

APPLICATION FOR CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY REGARDING THE OPERATION OF TAXICAB PERMITS - (DENIED)

Commissioner Sanchez said he would request the Staff give a brief summation of the Department's review and recommendations pertaining to the finding of public need and necessity regarding the taxicab public convenience area. Before that, however, he said, he would like to thank everyone for taking time out to come out and share over the past two meetings their thoughts and perceptions pertaining to the issue of public need and necessity.

Officer Suslow of the Permit Section, after giving a report on the various forms of transportation in the city, said: "It's staff opinion that the applicants have failed to provide clear and convincing evidence that additional taxicab permits are required at this time to meet the public convenience and necessity."

Commissioner Nelder then said he would make a motion that no additional permits be issued. He said he felt cabs are having a difficult enough time now making ends meet so he would make a motion that no additional permits be issued. The motion was seconded by Commissioner Daly and unanimously approved. (The entire Hearing on this matter was taken in shorthand form by CSR Linda Pransky and is on file in the Office of the Police Commission.)

RESOLUTION NO. 1260-85

WHEREAS, individuals have applied to The Police Commission for a declaration by The Commission of Public Convenience and Necessity for the issuance of permits to operate a taxicab in the City and County of San Francisco; and

WHEREAS, this matter came on for hearing before The Police Commission of the City and County of San Francisco on November 7, 1985 and November 21, 1985 and continued to and including December 5, 1985; and

WHEREAS, the various persons testified in opposition to the granting of additional permits and evidence in support of their position, was presented to The Commission; and

WHEREAS, the law requires that in order for a declaration of public convenience and necessity to be made, the applicants shall have the burden of proof to establish by clear and convincing evidence that public convenience and necessity require the operation of the vehicle for which permit application is made; and

WHEREAS, an independent investigation conducted by the San Francisco Police Department's Permit Section revealed that existing permit holders are, under normal condition, adequately serving the public; and

WHEREAS, the applicants failed to present evidence to support that any extraordinary conditions exist; therefore be it

RESOLVED, that based on written and oral evidence as to the prevailing conditions of the San Francisco Taxicab Industry it is the decision of The Commission to deny the issuance of additional taxicab permits, for the City and County of San Francisco.

AYES: Commissioners Daly, Toler, Nelder, Sanchez
ABSENT: Commissioner Hsieh

RESOLUTION NO. 1259-85

DECISION - HEARING OF POLICE OFFICER DENNIS M. COSTANZO, INGLESIDE STATION

WHEREAS, on July 18, 1985, Cornelius P. Murphy, Chief of Police of the San Francisco Police Department, made and served charges against Police Officer Dennis M. Costanzo, Ingleside Station, as follows:

SPECIFICATION NO. 1

Failure to prevent crime while off duty (violation of Rule A-2 of General Order D-1 of the San Francisco Police Department);

(a) At all times herein mentioned, Dennis M. Costanzo, Star No. 620, was and is a police officer employed by the San Francisco Police Department and assigned to the Ingleside Police Station;

(b) As a police officer, Officer Costanzo (hereinafter referred to as the accused) was and is responsible for knowing and obeying the rules, orders, and procedures of the San Francisco Police Department;

(c) On May 17, 1985, at or about 1755 hours, the accused, while off duty and driving his personal vehicle, was arrested by a Millbrae police officer for violation of California Vehicle Code Section 23152(a), a misdemeanor;

(d) Vehicle Code Section 23152(a) makes it unlawful for any person to drive a vehicle while under the influence of alcohol;

(e) As a police officer, the accused has a duty to prevent crime at all times. Notwithstanding this duty, the accused, by driving a vehicle on the highways of the State of California in violation of Vehicle Code Section 23152(a), not only failed to prevent crime, but engaged in criminal conduct which constitutes a violation of Rule A-2 of General Order D-1 of the San Francisco Police Department which states:

"Officers shall, while off duty, take all reasonable steps to prevent crime, detect and arrest offenders, and protect life and property that are consistent with the officers' ability to take proper action at the time in question."

SPECIFICATION NO. 2

Failure to prevent crime while off duty (violation of Rule A-2 of General Order D-1 of the San Francisco Police Department);

(a) The allegations contained in Specification No. 1, paragraphs (a) and (b) are hereby incorporated by reference as if fully set forth herein;

(b) On May 17, 1985 at or about 1740 hours, while off duty and driving his personal vehicle, the accused's vehicle collided with two other moving vehicles while proceeding northbound on Interstate 280 in the vicinity of Millbrae, California;

(c) Despite colliding with two separate vehicles, the accused continued driving until he was observed by a Millbrae police officer to stop his vehicle at or near the intersection of Hillcrest Boulevard and Broadway in Millbrae, California;

(d) California Vehicle Code Section 20002(a) makes it unlawful for any driver of a vehicle involved in an accident resulting in property damage to leave the scene of the accident without providing identifying information to the driver of the other vehicle;

(e) Subsequent to his arrest for violation of Section 23152(a) of the California Vehicle Code as indicated in Specification No. 1, the accused was charged with a violation of Section 20002(a) of the California Vehicle Code;

(f) As a police officer, the accused has a duty to prevent crime at all times. Notwithstanding this duty, the accused, by failing to comply with the requirements of Section 20002(a) of the California Vehicle Code, not only failed to prevent crime, but engaged in criminal conduct which constitutes a violation of Rule A-2 of General Order D-1 of the San Francisco Police Department which states:

"Officers shall, while off duty, take all reasonable steps to prevent crime, detect and arrest offenders, and protect life and property that are consistent with the officers' ability to take proper action at the time in question."

SPECIFICATION NO. 3

Engaging in conduct which tends to subvert the good order, efficiency or discipline of the Department and which reflects discredit upon the Department (violation of Rule A-9 of General Order D-1 of the San Francisco Police Department).

(a) The allegations contained in Specification No. 1, paragraphs (a) through (e) and the allegations contained in Specification No. 2, paragraphs (a) through (f) are hereby incorporated by reference as if fully set forth herein;

(b) The accused, by failing to prevent crime and by being arrested by a Millbrae police officer, has engaged in conduct which tends to subvert the good order, efficiency, or discipline of the Department and which reflects discredit upon the Department which constitutes a violation of Rule A-9 of General Order D-1 of the San Francisco Police Department, which states:

"Any breach of the peace, neglect of duty, misconduct or any conduct on the part of any member either within or without the state which tends to subvert the good order, efficiency or discipline of the Department or which reflects discredit upon the Department or any member thereof or that is prejudicial to the efficiency and discipline of the Department, though such offenses are not specifically defined or laid down in these Rules and Procedures, shall be considered unofficer-like conduct triable and punishable by the Board."

and

WHEREAS, a hearing on said Charges was held before the Police Commission pursuant to Section 8.343 of the Charter of the City and County of San Francisco on Thursday, September 26, 1985 and Thursday, December 5, 1985, and on Thursday, December 5, 1985, the matter was submitted to the Police Commission for decision; and

WHEREAS, the Police Commission finds that the allegations contained in Specification No. 1, violation of Rule A-2 of General Order D-1 of the San Francisco Police Department, Specification No. 2, violation of Rule A-2 of General Order D-1 of the San Francisco Police Department, and Specification No. 3, violation of Rule A-9 of General Order D-1 of the San Francisco Police Department, as preferred by the Chief of Police against Police Officer Dennis M. Costanzo, are sustained; therefore be it

RESOLVED, that based on these findings consistent with the Commission's duty to protect the health, safety and general welfare of the citizens of the City and County of San Francisco and the public in general, and in order to promote efficiency and good discipline in the San Francisco Police Department, the Commission orders that the following discipline be imposed:

Charge No. 1 Charge No. 2 Charge No. 3	[penalty]	Sixty (60) days suspension and enroll in the Alternative to Punishment Program as prescribed in Department General Order D-4. He is to report to the Police Commission on January 9, 1986 regarding his progress, and depending on his progress, a decision will be made to rescind or continue the last 30 days of his suspension

and be it further

RESOLVED, that the first half of said suspension totaling 30 calendar days is to commence Thursday, January 2, 1986 at 0001 hours and end on Friday, January 31, 1986 at 2400 hours. Officer Costanzo is to report to the Police Commission on January 9, 1986 for review of his progress and determination regarding the last 30 days of his suspension.

AYES: Commissioners Daly, Nelder, Sanchez, Toler
ABSENT: Commissioner Hsieh

Recess taken during the hearing of Officer Costanzo:

6:55 p.m. to 7:05 p.m.

(The entire proceedings were taken in shorthand form by Ms Linda Pransky, CSR.)

HEARING OF POLICE OFFICER EARL E. WISMER, NORTHERN STATION

The hearing of Police Officer Earl E. Wismer, Northern Station, was called it having been set for this date.

Police Officer Earl E. Wismer appeared in person and was represented by Mr. John Prentice, Attorney at Law.

Mr. Jerry Akins, Attorney at Law, appeared on behalf of the San Francisco Police Department.

An opening statement was made by Mr. Jerry Akins for the Prosecution.

An opening statement was made by Mr. John Prentice for the Defense.

The following named witness appeared for the Prosecution, was sworn and testified:

Mr. James H. Dunbar III, 841 Hayne Road, Hillsborough, CA

The following exhibits were entered into evidence by the Prosecution:

Exhibit #1 1 color 7 x 10 photo of Mr. Dunbar's facial profile - front view

Exhibit #2 Copy of Booking Card with Mr. Dunbar's name and charges

The following named witness appeared for the Defense, was sworn and testified:

Officer David Phillip Herrera, Company E

After listening to testimony from the above parties, the matter was continued to Thursday, December 12, 1985 at 5:30 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Daly, Nelder, Sanchez, Toler
ABSENT: Commissioner Hsieh

(The entire proceedings were taken in shorthand form by Ms Linda Pransky, CSR.)

LIEUTENANT WILLIE E. FRAZIER
SECRETARY
THE POLICE COMMISSION

805

DECEMBER 12, 1985 SPECIAL MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Thursday, December 12, 1985 at 1700 hours on a Special Meeting.

PRESENT: Commissioners Nelder, Hsieh, Toler
ABSENT: Commissioners Sanchez, Daly

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1. Attorney-Client Conference

Commissioner Nelder presiding.

DECEMBER 12, 1985 REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Thursday, December 12, 1985 at 1730 hours on a Regular Meeting.

AYES: Commissioners Nelder, Hsieh, Toler
ABSENT: Commissioners Sanchez, Daly

Commissioner Nelder presiding.

APPROVAL OF MINUTES OF MEETING OF NOVEMBER 7, 1985

Approval of minutes of meeting of November 7, 1985, the Commissioners having received, approved, and returned copies of same.

APPROVAL OF CONSENT CALENDAR

Recommendation of the City Attorney for settlement of the following claims against the City and County of San Francisco:

RESOLUTION NO. 1273-85

ALLSTATE INSURANCE (SANDRA COHEN)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Allstate Insurance (Sandra Cohen) in the sum of $382.64 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: August 16, 1985

AYES: Commissioners Hsieh, Nelder, Toler
ABSENT: Commissioners Daly, Sanchez

RESOLUTION NO. 1274-85

BASELLE WONG REALTY, INC.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Baselle Wong Realty, Inc. in the sum of $55.00 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: July 31, 1985

AYES: Commissioners Hsieh, Nelder, Toler
ABSENT: Commissioners Daly, Sanchez

RESOLUTION NO. 1275-85

ANTHONY SPITERI

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Anthony Spiteri in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 6, 1985

AYES: Commissioners Hsieh, Nelder, Toler
ABSENT: Commissioners Daly, Sanchez

RESOLUTION NO. 1276-85

MIGUEL A. CARDONA

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Miguel A. Cardona in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 23, 1985

AYES: Commissioners Hsieh, Nelder, Toler
ABSENT: Commissioners Daly, Sanchez

RESOLUTION NO. 1277-85

AUDREY DAVID SAGE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Audrey David Sage in the sum of $53.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 11, 1985

AYES: Commissioners Hsieh, Nelder, Toler
ABSENT: Commissioners Daly, Sanchez

TRAVELING EXPENSE VOUCHERS - APPROVED

RESOLUTION NO. 1279-85

RESOLVED, that the Traveling Expense Vouchers submitted by the following named members of the Police Department for expenses incurred in attending the below indicated program, be, and the same is hereby approved.

Officer Stanley Harris
Officer Michael Lujan
Officer Robert Ryan
Officer John Sweeney
Officer Richard Wallet
Officer Edward Weaver

(Skidmark Analysis in Accident Investigation (Eureka, California (08/12/85 - 08/16/85 ($430.95 each

AYES: Commissioners Hsieh, Nelder, Toler
ABSENT: Commissioners Daly, Sanchez

ANTHONY CHAVIRA vs. CITY AND COUNTY OF SAN FRANCISCO

Hold until further notice.

RESOLUTION NO. 1272-85

AETNA CASUALTY & SURETY CO. vs. CITY AND COUNTY OF SAN FRANCISCO

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Aetna Casualty and Surety Co. in the sum of $750.00 entitled "Aetna Casualty and Surety Company, a corporation vs. City and County of San Francisco, and DOES I through X" in Municipal Court No. 865-942 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: August 3, 1982

AYES: Commissioners Hsieh, Nelder, Toler
ABSENT: Commissioners Daly, Sanchez

POLICE COMMISSION REPORT

Commissioner Nelder said that the Commission had no report tonight.

POLICE COMMISSION DISCUSSION REGARDING POSSIBILITY OF CHANGING COMMISSION MEETING DAY

Commissioner Nelder said that last week this was discussed and there was a consensus that the meetings would be changed from Thursdays to Wednesdays. He said he believed that the President indicated he wanted it to be after the first of January which would be Wednesday January 8, 1986.

Commissioner Hsieh said that this would create a problem for him as some of his appointments were made on Wednesdays for the Month of January 1986, however, he said if the meetings could be set for the Wednesdays in the latter part of the month he would be able to be here.

Commissioner Toler said based on Commissioner Hsieh's request he would make a motion to have the Commission Meeting date change to the first Wednesday in February 1986. It was seconded and unanimously approved.

RESOLUTION NO. 1269-85

CHANGE IN POLICE COMMISSION MEETING DAYS

WHEREAS, a discussion was held on the possibility of changing the Police Commission meeting days from Thursday, and

WHEREAS, it was unanimously agreed that the Police Commission meeting days be changed from Thursday to Wednesday; therefore be it

RESOLVED, that effective the first Wednesday in February 1986, the Police Commission meetings will be held on Wednesdays; therefore, the first Wednesday meeting of the Police Commission will be held on February 5, 1986 and every Wednesday thereafter.

AYES: Commissioners Hsieh, Nelder, Toler
ABSENT: Commissioners Daly, Sanchez

CHIEF'S REPORT TO THE COMMISSION

Chief Murphy said he had no report for the Commission tonight.

RECOMMENDATION OF THE CHIEF OF POLICE THAT THE POLICE COMMISSION REVOKE JITNEY BUS PERMIT #25 HELD BY ARMANDO PEREZ

Officer L. Suslow said Mr. Perez was present and then had him come forth to answer the specifics as to why the Department was recommending his permit be revoked.

Mr. Perez said that he now has a driver to drive for him but the driver cannot operate because of insurance being as high as it is. He said if he could have another extension for 30 days he believes that the problem will be solved. He said if he is not able to get the insurance problem taken care of in that time frame then the Commission can go ahead and revoke his permit.

Commissioner Hsieh said he felt that Mr. Perez should have at least a 60 day continuance and he would so move for that amount of time. It was seconded by Commissioner Toler and unanimously approved.

RE-HEARING ON POLICE COMMISSION REVOCATION OF LIMOUSINE PERMIT #L-47 HELD BY JOHN THOMAS

Officer L. Suslow, Permit Section, said this matter has been continued for several times and that is because Mr. Thomas has been incarcerated in the Monterey County Jail and his attorney has asked the Commission to continue this matter from time to time so that when Mr. Thomas is released he will be able to be present. He said because Mr. Thomas has some more days to serve, his attorney is asking that the matter be continued for another 30 days.

Commissioner Toler said he would make a motion for a 30 day continuance. Commissioner Hsieh seconded and it was unanimously approved.

STATUS REPORT ON JITNEY BUS OPERATIONS IN SAN FRANCISCO

Officer L. Suslow said that some time ago during a revocation hearing Commissioner Daly, and by resolution of the Police Commission, directed Staff to give notice to all Jitney Bus Owners and other interested parties in the city notice of a Public Hearing on this matter, and also inquire of them as to what effect and impact they are feeling as a result of the increase in the insurance rate.

Commissioner Nelder then said he recalled this being entertained before and brought out by Commissioner Daly and he felt certain she and Commissioner Sanchez would like to be present when this matter is discussed. He said he would entertain a motion for a continuance. Commissioner Toler so moved. It was then continued one week.

Commissioner Hsieh on another matter said that last week he had an encounter with an operator of one of the Super Shuttle busses which was somewhat unpleasant. He said he just wanted to know if they came under the jurisdiction of the Police Department or of the State PUC. He said if they are under the PUC, the PUC are issuing all of these type of Permits to this type of Operators who are rude and constantly blocking city streets. It indicates, he said, that the PUC is not concerned with the well being of the City and County of San Francisco.

He said he felt that the State PUC should have a meeting with the SFPD's Police Commission and also perhaps with the City's PUC to work out some kind of arrangement and understanding. He said it is his contention that they are the ones who are creating all of the Traffic Problems incurred by the city in the downtown area.

He said he would make a motion to the Police Commission to issue a request to the State PUC for a meeting regarding the problems their permits are causing. Commissioner Toler said he would second that motion and it was unanimously approved.

RESOLUTION NO. 1270-85

HEARING OF POLICE OFFICER GEORGE A. LOZANO, NORTHERN STATION

WHEREAS, the date for the hearing of the disciplinary charges filed against Police Officer George A. Lozano, Northern Station, was called it having been set for this date; and

WHEREAS, it was requested by Mr. Dave Clisham, Attorney at Law, representing Officer George A. Lozano, that the date for the hearing before the Police Commission be set for February 6, 1986; therefore be it

RESOLVED, that the hearing of the disciplinary charges filed against Police Officer George A. Lozano, Northern Station, is set for Thursday, February 6, 1986 at 1730 hours in Room 551, Hall of Justice.

AYES: Commissioners Hsieh, Nelder, Toler
ABSENT: Commissioners Daly, Sanchez

RESOLUTION NO. 1267-85

HEARING OF POLICE OFFICER EARL E. WISMER, NORTHERN STATION

WHEREAS, the hearing of Police Officer Earl E. Wismer, Northern Station, was continued from the meeting of December 5, 1985; and

WHEREAS, it was requested by Mr. John Prentice, Attorney at Law, representing Officer Wismer, that the date for the hearing before the Police Commission be continued to Thursday, December 19, 1985; therefore be it

RESOLVED, that the hearing of the disciplinary charges filed against Police Officer Earl E. Wismer, Northern Station is set for Thursday, December 19, 1985 at 1730 hours in Room 551, Hall of Justice.

AYES: Commissioners Hsieh, Nelder, Toler
ABSENT: Commissioners Daly, Sanchez

RESOLUTION NO. 1271-85

HEARING OF POLICE RECRUIT OFFICER JULIAN A. HILL, POLICE ACADEMY

WHEREAS, the date for the hearing of the disciplinary charges filed against Police Recruit Officer Julian A. Hill, Police Academy, was called it having been set for this date; and

WHEREAS, it was requested by Mr. James P. Collins, Attorney at Law, representing Recruit Officer Julian A. Hill, that the date for hearing before the Police Commission be set for January 30, 1986; therefore be it

RESOLVED, that the hearing of the disciplinary charges filed against Recruit Officer Julian A. Hill, Police Academy, is set for Thursday, January 30, 1986 at 1730 hours in Room 551, Hall of Justice.

AYES: Commissioners Hsieh, Nelder, Toler
ABSENT: Commissioners Sanchez, Daly

The meeting, thereafter was adjourned at 6:10 PM.

Willie E. Frazier

LIEUTENANT WILLIE E. FRAZIER
SECRETARY
THE POLICE COMMISSION

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The Police Commission Meeting for December 19, 1985 was cancelled.

LIEUTENANT WILLIE E. FRAZIER
SECRETARY
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2/26/86
cancelled

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The Police Commission Meeting for December 26, 1985 was cancelled.

LIEUTENANT WILLIE E. FRAZIER
SECRETARY
THE POLICE COMMISSION